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REPORTS

FROM

COMMITTEES:

ELEVEN VOLUMES.

—(2.)—

ELECTIONS.

DROGHEDA; DUBLIN CITY; FALKIRK;
GALWAY TOWN; LAMBETH.

Session

30 *April* —— 28 *August* 1857.

VOL. VI.

1857—Sess. 2.

REPORTS FROM COMMITTEES:

1857—Sess. 2.

ELEVEN VOLUMES:—CONTENTS OF THE

SECOND VOLUME.

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DROGHEDA ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

DROGHEDA ELECTION PETITIONS;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
11 *August* 1857.

255—Sess. 2.

Martis, 28° *die Julii*, 1857.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petitions complaining of an undue Election and Return for the Borough of Drogheda:

Lord Robert Pelham Clinton.	Dudley Coutts Marjoribanks, Esq.
Sir Minto Farquhar, Bart.	James Rust, Esq.

THOMAS SOTHERON ESTCOURT, Esq., Chairman.

Mercurii, 29° *die Julii*, 1857.

Ordered, THAT the Petitions relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee Rooms of The House, at Eleven of the Clock.

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REPORT.

DROGHEDA ELECTION COMMITTEE.

Veneris, 7° die Augusti, 1857.

The House informed, That the Committee had determined,—

That James M'Cann is duly elected a Burgess to serve in this present Parliament for the Borough and County of the Town of Drogheda.

The House further informed, That the Committee had agreed to the following Resolutions:—

That the evidence adduced before the Committee shows, that on the day of Nomination and the preceding day riotous and tumultuous proceedings took place in the Court-house and streets of Drogheda:

That it does not appear to this Committee, that proper precautions were taken by the authorities to ensure good order in the Court-house at the Nomination.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 30° die Julii, 1857.

NAMES of Members called over; all present.

The Committee agreed to the following preliminary Resolutions:—

1. "That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. "That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. "That the Committee expect that, with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made; and those of the persons who actually gave the bribes, or offered to do so.

4. "The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognizant.

5. "That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. "That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence; and also with a list of those who are alleged to have exercised it.

7. "The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. "That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the agents, whose names shall be handed in, without the special leave of the Committee.

9. "That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. "That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. "That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent."

The Petition of *Francis Brodigan*, complaining of an undue Election and Return for the borough of Drogheda, and praying for the Seat, read.

The Petitioner appeared in person.

Agents, Messrs. *Baxter, Rose & Norton.*

The Petition of *Henry Bagnall* and others, complaining of an undue Election and Return for the borough of Drogheda, read.

Counsel for the Petitioners, Mr. *Slade*, Q. C., Mr. *Hodges.*

Agents, Messrs. *Baxter, Rose & Norton*, Mr. *Pelham Mayne.*

Counsel for the Sitting Member, Mr. *Edwin James*, Q. C., Mr. *Phinn*, Q. C., Mr. *Power.*

Agents, Mr. *Coppock*, Mr. *Clinton.*

A discussion having arisen as to the order in which the respective Petitions should be considered.

The

The Committee decided that they would proceed first with the Petition of *Francis Brodigan.*

Mr. *Brodigan* stated, that having abandoned his claim to the seat, and as the other allegations in the two Petitions were substantially the same, it was not his intention to proceed further with his Petition.

Mr. *James* applied to the Committee to report the Petition of *Francis Brodigan* to be frivolous and vexatious.

Mr. *Brodigan* was heard against the application.

Mr. *James* was heard in reply.

The Committee decided that they would defer their decision on the question until the investigation of the second Petition had been concluded.

Mr. *Slade* opened the case in support of the Petition of *Henry Bagnall* and another.

The Shorthand-writer was sworn by the Chairman.

James R. Naylor, from the Office of the Clerk of the Crown, sworn; examined by Mr. *Hodges*; produced writ and return for the last election for the Borough of Drogheda.

Edward Clements, from the Office of the Clerk of the Crown and Hanaper in Ireland, sworn; examined Mr. *Hodges*; produced and put in evidence five poll-books for the last election for the Borough of Drogheda.

Pelham Mayne, sworn; examined by Mr. *Hodges*; cross-examined by Mr *Phinn*; re-examined by Mr. *Slade.*

Sir *William Gordon,* sworn; examined by Mr. *Slade*; cross-examined by Mr. *James*; re-examined by Mr. *Slade.*

Alexander M'Dougall, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn.*

Peter Verdon, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *James*; re-examined by Mr. *Hodges.*

[Adjourned till To-morrow, at Eleven o'clock.

Veneris, 31° *die Julii,* 1857.

Names of Members called over; all present.

Richard Smith, sworn; examined by Mr. *Hodges*; cross-examined by Mr. by *Phinn*; re-examined by Mr. *Hodges.*

Edward Smyth Cory, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges.*

Lawrence Clarke, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges.*

William Copen, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges.*

Christopher Jordan, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Slade*; examined by the *Committee.*

Joseph Harris, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Power*; re-examined by Mr. *Hodges.*

Henry Bagnall, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Power*; re-examined by Mr. *Hodges.*

Edward Verdon, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Power.*

Peter Verdon; further Examined by the Committee.

[Adjourned till To-morrow, at Eleven o'clock.

Sabbati, 1° die Augusti, 1857.

Names of Members called over; all present.

Richard Harvey, sworn; examined by Mr. *Slade*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Slade.*

Thomas Moore, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Power*; re-examined by Mr. *Hodges.*

On *Richard Cooney* being sworn, Mr. *Power* objected to the Witness being examined, on the ground that the Witness had been in the room during the proceedings of the Committee.

Mr. *Hodges* was heard in answer to the objection.

Mr. *Power* was heard in reply.

Resolved, That the evidence of the Witness cannot be received.

Thomas Hammond, sworn; examined by Mr. *Hodges*; produced a letter from Mr. *Brodigan,* one of the Candidates for the last election.

Mr. *Hodges* proposed reading a portion of the letter.

Mr. *Power* objected, contending that the letter was irrelevant to the inquiry.

Mr. *Hodges* was heard in answer to the objection.

The Committee decided that the letter should not be read.

Examination of the Witness continued; cross-examined by Mr. *Phinn*; re-examined by Mr. *Moore.*

Edward Athinson, sworn; examined by Mr. *Slade.*

On the following question being put,—" Did any voter tell you, shortly before, or shortly after voting, that he voted for Mr. *M'Cann,* from the fear of losing custom ?"

Mr. *Power* objected to the question.

Mr. *Slade* was heard in answer to the objection.

Mr. *Power* was heard in reply.

The Committee decided that the question could not be put.

Examination of the Witness continued; cross-examined by Mr. *Power*; re-examined by Mr. *Hodges.*

Robert Morton, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn.*

Edward Finlay, sworn; examined by Mr. *Hodges.*

[Adjourned till Monday, at Twelve o'clock.

Lunæ, 3° die Augusti, 1857.

Names of Members called over; all present.

St. George Smith, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges.*

Francis Brodigan, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges.*

Captain *Alexander George Moore,* sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Slade.*

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 4° die Augusti, 1857.

Names of Members called over; all present.

Barnard Kelly, sworn; examined by Mr. *Hodges*; produced the election auditor's accounts of the last election for the borough of Drogheda; cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges*.

John Thomas Rowland, sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by *Slade*.

Evidence was then adduced in support of the alleged cases of treating.

Edward Finlay, sworn; examined by Mr. *Slade*.

The *Witness* having stated that one Long gave him an order for 5*s*., and asked him to vote for the Sitting Member,——

Mr. *Phinn* objected to the evidence, as the agency of Long had not been established, and his name was not included in the list given in of Mr. *M'Cann*'s committee.

The *Chairman* intimated to Counsel that the better course would be to discuss the question with reference to something said or done by some party whose name appeared in the list of Mr. *M'Cann*'s committee, and to postpone the consideration of this question.

The *Witness* being recalled,

Mr. *Phinn* inquired whether any person had been talking to him on the evidence he had given; and on the Witness replying in the affirmative, and that it was Dr. *Atkinson*.

Mr. *Phinn* applied for the exclusion of Dr. *Atkinson* from the Committee-room.

The Committee acceded to the application.

Examination of the *Witness* continued.

On the *Witness* being asked, "What did Whearty say."

Mr. *Phinn* objected, contending that the members of self constituted committees, not appointed by the Candidate, could not be regarded as agents.

Mr. *Slade* was heard in answer.

Mr. *Phinn* in reply.

Room cleared. Committee deliberated.

Resolved, That in the case of Richard Whearty, the Committee are of opinion that the mere fact of his name appearing in a list of about 133 persons, who formed themselves into a committee to procure the return of Mr. M'Cann, without any additional and corroborative evidence, was not sufficient to establish proof of agency; but they were ready to receive further evidence in this case, and in the case of Long, which had been suspended.

Parties called in, and informed of the Resolution of the Committee.

Examination of the *Witness* continued.

On the following question being put, "What took place at Lynagh's after Wheatley had accompanied you there with Patrick Burn.

Mr. *Phinn* objected, contending that agency had not yet been established.

Mr. *Hodges* was heard in answer.

Mr. *Phinn* in reply.

Room cleared. Committee deliberated.

Resolved, That the question may be put.

Parties called in, and informed of the Resolution of the Committee.

Examination of the *Witness* continued.

On the following Question being put, "What did Pat. Long say to you when you saw him at the committee-room?"

Mr. *Phinn* objected.

Mr. *Hodges* was heard in answer.

Mr. *Phinn* in reply.

Room cleared. Committee deliberated.

Resolved, That the Question may be put.

Examination of the *Witness* continued.

Cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges.*

James Thornton sworn; examined by Mr. *Hodges*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Hodges.*

[Adjourned till To-morrow, at Eleven o'clock.

Mercurii, 5° die Augusti, 1857.

Names of Members called over; all present.

Catherine Durnin sworn; examined by Mr. *Slade*; examined by the Committee.

Michael Durnin sworn; examined by Mr. *Slade*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Slade.*

Mr. *Slade* stated that that was the case on the part of the Petitioners.

Mr. *Phinn* applied to the Committee for leave to examine Mr. *O'Hagan,* a Witness who had been present during the Proceedings of the Committee.

Mr. *Slade* was heard against the application.

Resolved, That the evidence of Mr. *O'Hagan* cannot be received.

Robert Pentland, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade.*

John Chadwick, sworn; examined by Mr. *Power*: cross-examined by Mr. *Slade*; re-examined by Mr. *Phinn.*

William Campbell, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade*; re-examined by Mr *Phinn.*

Patrick Turnan, jun., sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade*; re-examined by Mr. *Power.*

Thomas Cartey, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade.*

Thomas Derinzey, sworn; examined by Mr. *Phinn.*

[Adjourned till To-morrow, at Eleven o'clock.

Jovis, 6° die Augusti, 1857.

Thomas Derinzey examined by Mr. *Power,* in answer to a question given in his evidence of yesterday; cross-examined by Mr. *Slade.*

James Gibney, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade*; re-examined by Mr. *Phinn.*

Rev. *James Macken,* sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade*; re-examined by Mr. *Phinn.*

Rev. *Patrick Hanratty,* sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade.*

Rev. *Francis Montague,* sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Slade.*

Henry Clenton, sworn; examined by Mr. *Phinn.*

James M'Cann, a Member of the House, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Hodges.*

John Rath, sworn; examined by Mr. *Phinn.*

Mr. *Phinn* summed up the evidence on the part of the Sitting Member.

Mr. *Slade* was heard to reply on the part of the Petitioners against the Return.

Room

Room cleared. Committee deliberated.

Resolved, 1. "That *James M'Cann*, is duly elected a Burgess to serve in this present Parliament for the borough and county of the town of Drogheda.

2. "That the evidence adduced before the Committee, shows that on the day of nomination and the preceding day, riotous and tumultuous proceedings took place in the Court-house and streets of Drogheda.

3. "That it does not appear to the Committee, that proper precautions were taken by the authorities to ensure good order in the Court-house at the nomination.

4. "That the Committee see no reason to give costs in any matter arising out of the Petition of *Francis Brodigan*."

Parties called in, and informed of the above Resolutions.

Ordered to report Resolutions, Nos. 1, 2 and 3, to the House.

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MINUTES OF EVIDENCE.

Jovis, 30° die Julii, 1857.

The Petition of Francis Brodigan, Esq., complaining of the undue Return of James M'Cann, Esq., was read.

Mr. *Brodigan* appeared in person in support of this Petition.

The Petition of Henry Bagnall and Thomas Kerr, electors of the borough, also complaining of the undue Return of James M'Cann, Esq., was read.

Mr. *Slade* and Mr. *Hodges* appeared in support of this Petition.

Messrs. *Baxter, Rose, & Norton* and Mr. *Mayne*, Solicitor, Dublin, appeared as Agents.

Mr. *Edwin James*, Mr. *Phinn*, and Mr. *Power*, appeared as Counsel for the Sitting Member.

Mr. *Coppock* and Mr. *Clinton*, Solicitor, Drogheda, appeared as Agents.

The Committee stated that they had agreed to the usual Resolutions.

Mr. *Slade* was heard to open the case on behalf of the Electors' Petition.

Mr. *James Richard Naylor* was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Mr. *J. R. Naylor.*

30 July 1857.

1. ARE you Clerk to the Crown?—I am Chief Clerk in the Crown Office.
2. What have you in your hand?—The writ for the town of Drogheda, and the return to the writ. (*The documents referred to were produced and put in.*)
3. Mr. *Phinn.*] What is the date of the return?—The 4th of April 1857.
4. Mr. *Hodges.*] You bring that from the office, do you?—Yes.

[The Witness withdrew.

Mr. *Edward Clements* was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Mr. *E. Clements.*

5. DO you produce the poll-books from the office in Ireland?—Yes. (*The poll-books were produced and put in.*)

[The Witness withdrew.

Mr. *Pelham Joseph Mayne* was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Mr. *P. J. Mayne.*

6. ARE you a solicitor, practising at Dublin?—Yes.
7. How far is that from Drogheda?—Thirty-two miles.
8. For some years have you been acquainted with Drogheda, and had opportunities of understanding the state of parties there?—All my life I have been intimately acquainted with Drogheda.
9. On the occasion of the last election were you the conducting agent for Captain Montgomery Moore?—I was.
10. And when Captain Moore determined to stand as a candidate for the borough, did you proceed to Drogheda for the purpose of canvassing there?—I did.

Mr. *P. J. Mayne.*

30 July 1857.

11. Will you state to the Committee on what day it was that you commenced your canvass?—On Saturday, the 28th of March last.

12. Was Captain Moore then at Drogheda?—He was.

13. What number of persons accompanied you on the canvass; about; I do not want to be particular?—On different occasions different friends; I could not state the number.

14. Did he meet with a good reception there?—Most favourable.

15. What parties in the borough supported him upon that occasion?—The general body of the Conservative electors, with the exception of three, would have supported him; and of the Liberal party, a very considerable number also supported him.

16. You mean those who had formerly been of the Liberal party, do you?—I mean that some gentlemen who formerly belonged and still belong to the Liberal party, but who disapproved of Mr. M'Cann's politics, on that occasion joined the Catholics in supporting Captain Moore, and also several other members of the Liberal party.

17. Were Captain Moore's supporters limited to the Protestant party?—Certainly not; some of the most influential Roman-catholic gentlemen were his most zealous supporters, including several magistrates.

18. I will not trouble you to give us the names of all of them; can you mention two or three of the most prominent Roman-catholic gentlemen who supported Captain Moore?—Mr. Christopher Jordan, a magistrate for Drogheda, and also for the county of Louth, a gentleman of large property. Mr. Hammond, also a gentleman of very independent means, and who has filled the office of Mayor of Drogheda, and who was a Roman-catholic. Mr. Verdon, who had also filled the office of mayor, I believe.

19. Was he the high sheriff?—Yes, he is at present high sheriff of Drogheda.

20. *Committee.*] Was he high sheriff at the time?—He was.

21. When do they enter upon the office of high sheriff?—I think it right to state that he did not take an active part.

22. That, sir, is no answer to my question; when does the high sheriff begin his office?—On the 1st of January, I think.

23. Mr. *Hodges.*] How long did you continue this canvass?—We continued the canvass until the afternoon of Wednesday, the 1st of April.

24. I am taking you back now to the Saturday; you say that it was successful; how was it on the Monday?—Pretty well; he was equally favourably received on the entire of Monday.

25. Was the town in a quiet state then?—In a reasonably quiet state for an election.

26. There was no sign of disturbance?—Not the slightest.

27. Did you accompany the parties who were canvassing?—Yes, different parties.

28. Did you keep a book showing the result of your canvass?—We each night had lists, and checked the lists of voters.

29. On the Monday afternoon, how did your prospects stand?—That we had a majority of from 40 to 60. I myself believe we should not have had more than 40, but other members of the committee calculated on 60.

30. *Committee.*] What time on the Monday?—During the entire of Monday, up to the close of our proceedings at six in the evening.

31. Mr. *Hodges.*] Did anything occur in the course of Monday that you have to state to the Committee; on the Monday evening?—Speeches were addressed.

32. Mr. *Phinn.*] Did you hear them?—No.

33. Mr. *Hodges.*] Tell us, from what you yourself witnessed, what was the state of the town; was it the same on the Monday evening as it had been in the previous part of the day?—On the Monday evening large assemblies of persons, several thousands, were congregated round Mr. M'Cann's committee-room at the White Horse Hotel, and persons on the balcony were addressing speeches to them.

34. Did you yourself see those assemblies?—I saw them.

35. About what o'clock did you observe that?—On the afternoon of Monday; I think about four or five o'clock on the Monday, and I think again in the evening, about seven or eight o'clock.

36. You did not hear what was said yourself?—I did not.

37. Did you see the parties who were in the balcony of the White Horse?—Not to identify them. I was afraid to go so near.

38. What was the place called; the White Horse, where this balcony was?—Yes; it was the place at which Mr. M'Cann's committee met.

39. What sort of a crowd was it that you saw about four o'clock on the afternoon of that day?—A vast assemblage.

40. Do not tell us anything but what you know of your own knowledge. Will you state of your own knowledge anything it is proper for the committee to be informed of; was the crowd quiet or otherwise?—On the Tuesday?

41. I am speaking of the Monday?—On the Monday I saw nothing remarkable except large crowds assembled in different parts of the town, especially round Mr. M'Cann's committee-room.

42. What was the state of the town on the following day, the Tuesday?—Greatly excited.

43. Was there any other meeting at this place that you have spoken of?—Yes, on the afternoon of Tuesday, on two or three occasions I saw a large mob assembled in the street opposite Mr. M'Cann's committee-room, and persons from the balconies addressing them.

44. At what hour of the Tuesday was it that you saw persons in the balcony addressing the mob?—I saw them on different occasions, from four to seven o'clock in the evening.

45. Had you occasion to pass about the town yourself in the course of that Tuesday evening?—I did not go much further than from Mr. Moore's committee-room to the court house in the afternoon of Tuesday, on account of the state of the mob; the state of excitement.

46. In your progress between those places, did you see anything that transpired in the streets?—I saw great excitement amongst the people; on two or three occasions the committee-room in which I was transacting Captain Moore's business was attacked by the mob.

47. In what way was it attacked by the mob?—By large stones being hurled through the windows where we were transacting our business, by violent hooting at every person who attempted to enter or leave the committee-rooms, and by stones and dirt from the streets being thrown at all parties entering our committee-rooms.

48. That you saw yourself?—I saw that.

49. Did you keep your doors shut or open at the committee-room?—We kept the hall door closed, and barred towards night.

50. What was the reason for that?—On account of the mob surrounding the house, and threatening to break into it.

51. How long was the mob before the house in the course of the evening?—Up to a very late hour that night; up to one or two o'clock on the following morning they were about and opposite the house.

52. Upon how many occasions, if more than one, were stones thrown at the committee-rooms?—I think upon two occasions; in the night, or after it became dark, the mob twice attempted to force open the door.

53. I am asking you about the stones?—On various occasions during the entire day, up to a late period at night.

54. You said something about attempting to force the door; what was that?—The mob on one or two occasions attempted to force in the hall door.

55. How did they attempt to do that?—By thrusting against it, with what instruments I cannot say; but they made violent attempts to force it open.

56. What number of people do you suppose were outside at that time?—I cannot at all say; it was a vast number; several hundreds.

57. There were several hundreds in all?—Certainly.

58. In consequence of these proceedings, did you do anything?—I applied to Captain Derenzy, the stipendiary magistrate.

59. Was that on the Tuesday?—Yes.

60. What did you apply to him for?—For protection for Captain Moore, and such electors or friends of his as should seek ingress to the committee-rooms.

61. Did you also endeavour to make some arrangement for the purpose of preventing violence on the following day; was the following day the nomination day?—Yes, I should mention, before discussing that point, that I also wrote to Mr. Thomas Curty, the mayor, who was chairman of Mr. M'Cann's committee, requesting him to send a force to protect our house and the voters, and other

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persons going there, which note I wrote immediately after the first attempt of the mob to force in the house.

62. Just read the letter?—"31st March 1857. My dear sir; as conducting agent of Captain Moore, one of the candidates for this borough, I beg to request you will be so kind as to order a police party to patrol this street, in order to protect electors and others coming to and going from our committee-rooms during this evening, and until the close of the election; I remain, dear sir, very faithfully, yours, *Pelham J. Mayne.*—Thomas Carty, esq., Mayor."

63. Did you receive any answer?—None, except a verbal one by the messenger, and there having been several other assaults committed by stones coming through the windows, we got greatly alarmed, and at 10 o'clock I applied to Captain Derenzy, as I have mentioned, for protection, and tendered the information which I have now in my hand.

64. An information upon oath?—Yes.

65. Will you read it, if you please?—"Borough of Drogheda to wit: the information of Pelham Joseph Mayne, of Talbot-street, in the city of Dublin, solicitor, conducting agent for Alexander George Montgomery Moore, esq., a candidate at the approaching election for said borough, who being duly sworn, maketh oath and saith, that informant was engaged in conducting the preparatory business of the said election at said Mr. Moore's committee-room, at No. 6, Peter-street, Drogheda, on that evening, when a riotous mob assembled in front of said house, and used much violence and threats towards persons seeking to enter same upon their lawful business, and to such a height did such violence arise that deponent felt imperatively bound to call for protection, and at the hour of eight o'clock, P. M., sent a written application to Thomas Carty, esq., mayor of said borough, and a magistrate thereof, requesting him to order a police party to patrol the said street in order to protect said house and parties seeking ingress thereto: Saith that no police were sent or answer given to said application, and at the hour of half-past nine, P. M., the violence of the mob increased to an alarming extent, and they attacked the house, endeavouring to break open the door, and at same time with stones and other missiles broke the glass and several of the windows of said house, and informant apprehended serious if not fatal damage to himself and the other persons therein said house, and at the hour of 10 o'clock the violence of the mob having somewhat abated, informant proceeded into the street and got temporary protection from the police force, but informant verily believes that unless constant protection is afforded to said house and premises, and the persons necessarily engaged therein until after the election shall have terminated, informant will be prevented performing his duty, and have reason to apprehend personal violence and further damage to said house. Sworn before me this 31st day of March 1857, at Drogheda, in the borough of Drogheda, a magistrate in and for the said borough. *Pelham J. Mayne.*"

66. You tendered that information?—I tendered that information, and gave it to Mr. Derenzy.

67. Were there any further disturbances after you had given that information that same evening?—Until a late hour. The police subsequently to that patrolled the street and several times dispersed the mob; but the moment the police withdrew a short distance the mob returned and renewed their attacks, till the police returned again and dispersed them; that continued until between two and three the next morning.

68. *Committee.*] Did the police patrol after your letter to Captain Derenzy or before?—After my information.

69. Was there any police patrolling before you made that application to Captain Derenzy?—Not near the committee-rooms; I believe they were in a different part of the town, but not at our committee-rooms.

70. Did you not say about ten the police were by the committee-room?—Yes, about ten; about that time the police having come up the street, I went to Captain Derenzy; I took the opportunity of their coming up to go to him.

71. Where were the police at that time?—They had just come up at that time.

72. Confining your attention to the evening of the same day, the Tuesday, the next day was the nomination?—Yes.

73. In the course of the Tuesday afternoon or evening, did you take any step for the purpose of endeavouring to prevent violence the next day?—I applied to the high sheriff, as had been the custom on previous elections, to endeavour to protect

protect the electors from the non-electors, and the mob who assemble on such an occasion, and the high sheriff agreed to give a certain number, I think 100, tickets of admission to the friends of the three respective candidates.

74. When was this application made?—On the night of Tuesday the 31st of March, or the evening.

75. Having made this arrangement with the high sheriff, did you take means to have it carried into effect?—Yes; I communicated to the nominator and seconder of Mr. Moore the arrangement that had been made by the high sheriff, and that the high sheriff had fixed half-past nine the next morning for them to attend at the court-house to get their tickets, ten being the hour named by the high sheriff for opening the court.

76. Did you make any application to the chairman of the other committees; did you communicate this to the chairman of Mr. Brodigan's committee?—I think not; I have no recollection of it.

77. At this time you were under the expectation you would have these tickets to enable you to get into the court-house?—It had been so arranged by the sheriff, and I believed the arrangement would have been carried out.

78. When you went to the court-house at what hour did you and Mr. Moore and his supporters go?—At about half-past nine.

79. What time was the nomination to commence?—Ten o'clock had been named in the sheriff's proclamation.

80. And you were there half an hour before the time?—Yes.

81. On your arrival did you find the court-house open for you?—The court-house door was locked.

82. What did you do upon that?—We remained in the street, amongst the mob, till 10 o'clock.

83. Did you see the high sheriff?—Yes; he was there.

84. Did he make any communication to you?—Yes; I applied for admission according to the arrangement.

85. What was the result of your application to the high sheriff; was he able to let you in?—He had not the key of the court-house door.

86. Could he get in himself?—No.

87. Was he remaining outside with the mob, as well as yourself?—He was.

88. What was the state of the mob outside while you were waiting?—Very excited, and very violent.

89. What number of people were gathered together?—Thousands; an enormous number; I could not form an estimate; many thousands.

90. Can you tell us what took place while you were waiting to get in?—We were insulted, and stones and filth from the street thrown on all the parties surrounding Captain Moore.

91. Were the police there?—The police endeavoured to prevent the mob from pressing upon us.

92. Were they able to do so?—To a certain extent; the mob made several attempts to force the line of police.

93. How did the police repel them; with their bayonets?—They had guns in their hands; I believe they did it with their guns.

94. With their guns?—I believe so; I cannot positively state that; I do not distinctly recollect; I think with their fixed bayonets, as far as I recollect.

95. About how long did you stay outside the court-house?—I remained outside the court-house till a few minutes before 10 o'clock, when Mr. Thomas Carty, the mayor, accompanied by Mr. M'Cann and his friends, approached; and thereupon Mr. Carty had the court-house unlocked and opened for the accommodation of the public.

96. When the court-house door was opened, will you state what you witnessed?—The mob rushed in with great violence, and all Mr. M'Cann's party and friends along with them.

97. Did you succeed in getting in?—I did with much difficulty.

98. After you had reached the court-house, will you state to the committee what the state of things was?—There was a frightful excitement; the court was at once filled by this mob. I succeeded in getting to the bench, the part of the court-house where the nomination takes place; it is elevated eight or ten feet above the body of the house.

99. After you had reached that bench, do you recollect anything occurring?—Yes;

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Yes; after the usual formal reading of the writ, Mr. Carty, the mayor, proposed Mr. M'Cann, and the Rev. Mr. Haurathy seconded his nomination.

100. Were the people quiet while they were proposing and seconding?—They were heard without the slightest noise or interruption.

101. What occurred after Mr. M'Cann had been proposed and seconded?—Mr. St. George Smith rose for the purpose of proposing Captain Moore, but was received with groans and noise, and great confusion and uproar. Mr. M'Cann, I think it right to state, requested the people to hear Mr. Smith, whereupon the uproar was increased, if possible; yells and uproar; at length Mr. Smith having uttered a few sentences, formally proposed Captain Moore, and sat down. Mr. Christopher Jordan then rose for the purpose of seconding him, but was received with the greatest violence. He was struck with stones and all sorts of filth and dirt; he was spat upon by the mob, and was in fact one mass of filth. His coat was also torn from off his back by the mob. He remained for, I believe, twenty minutes endeavouring to get a hearing, and exposed to these gross outrages; and at length he spoke to the high sheriff who was next to him, entreating protection; but the police were outside, and the high sheriff could not get access to the police. They were at a distant part. He then asked the high sheriff to adjourn the court, and the high sheriff expressed his inability; and at length Mr. Jordan having stated to the high sheriff, who was next to him, that he formally seconded Captain Moore, sat down.

102. Was Mr. Brodigan then proposed, or attempted to be proposed?—Yes; there was an attempt made to propose and second him.

103. What was the conduct of the mob then?—It was most outrageous; if possible, worse; certainly as bad as Mr. Jordan's reception, except that Mr. Brodigan or his party had not their clothes torn; but they were treated similarly as to being assaulted, and missiles being thrown at them, and spat upon by the mob.

104. Taking you back for a moment to the outrages that were inflicted on Mr. Jordan, can you state who the persons were who treated him in this way?—I really cannot; I could not identify them.

105. Were they people on the platform?—There were some upon the platform, but the greater portion were from the body of the house.

106. Do you know who they came with?—There were several of them I know to have been Mr. M'Cann's committee and friends. There was a Mr. Michael Johnson, I recollect, who attempted to throw me off. Immediately on my arriving at the bench, I was thrust forward by the mob behind with enormous force; they forced us into the court with terrific violence, and I succeeded in getting to the raised platform where the nomination takes place, when Mr. Johnson, a publican in Drogheda, attempted to hurl me from the bench into the body of the court.

107. What is the height?—Perhaps eight or ten feet; I grasped the brass standard through which the gas light passes, and it was wrenched off, with such force did he pull me; it was as thick as my arm, and it was wrenched off the bench to which it was screwed.

108. What saved you after that had given way?—Several friends; I think some of the Mr. Smiths, and others of Mr. Moore's friends, who were along with us, succeeded in getting under me, and others above, and so pulled me up, and I escaped without any other damage.

109. I do not know whether you witnessed anything with respect to Mr. Brodigan.—Did you take notice of anything that happened to him?—I did not myself see, nor can I recollect anything particular beyond what I have described; the filth and dirt, and things of that sort thrown; several stones grazed my head, and struck with force against the oak wainscot which lines the court, passing over Mr. Brodigan; several stones: I was not hit with any stone.

110. Did this violence continue up to the time the court was over?—Yes; it continued from the time that Mr. Smith first got up to propose Captain Moore; after Mr. M'Cann had been seconded, with the exception of the speech he made on returning thanks.

111. It continued in the same state?—Yes.

112. Where did you go with Captain Moore's friends after this, on the day of nomination?—We returned to Captain Moore's committee-room.

113. In what state was the town then?—In a state of the most frightful excitement;

citement; I saw an enormous mob in every street, I saw an enormous mob was assembled, hooting and insulting all persons that they believed to be opposed to them.

114. Did any of your friends come to you at the committee-room after you had come from the nomination?—Yes; Mr. Jordan returned, and Mr. Richard Smith, and several other friends.

115. In Ireland a day intervenes between the day of nomination and the day of polling?—Yes.

116. A poll was demanded?—Yes.

117. And the polling was fixed for Friday?—Yes, the 3d of April.

118. Now I will take you to the state of the town on the Thursday?—It still continued. Captain Moore, on Wednesday night, was advised by his committee that if he did not resign, bloodshed must be the consequence, from the frightful violence exhibited by the mob during the nomination; and subsequently on that day we had a meeting, at which I was present, and Captain Moore's friends deliberated on the course to be pursued; and they were unanimous in thinking that bloodshed must be the result if he persevered; but two or three members of the committee felt that even at that sacrifice they should persevere, sooner than have their liberties trampled upon by the mob. Mr. Jordan and Dr. Atkinson, I recollect, even under those circumstances, thought we should persevere.

119. Ultimately what was done?—Ultimately Captain Moore resigned.

120. *Committee.*] On what day did he resign?—On the night of Wednesday, the 1st of April. It was determined to resign on that night; but on the following day it was published.

121. Mr. *Hodges.*] The placard was published which Mr. Slade read?—Yes; it was placarded on the town walls; and on the previous night, I believe, Mr. Moore wrote a note to Mr. M'Cann out of courtesy, stating that he had determined on retiring, and that his reasons for so doing would be published in a placard the following day.

122. Do you recollect the state of the town on the following day, before the placard was published?—It was very excited still, and continued so up till a late portion of that evening.

123. Did you see any of your supporters on that day?—We had determined on the Wednesday night to retire, and on the Thursday morning that intention was announced in a placard.

124. Before you determined to retire, had you had communications made to you from voters in your interest?—Several.

125. What was the nature of those communications?—That they considered their lives would be sacrificed if Captain Moore went on, and they were obliged to vote. I recollect, particularly, Mr. Henry Bagnall, one of the petitioners, a very respectable boot and shoe maker in the town of Drogheda, who had promised Captain Moore his support; his house was attacked in the same way, and stones flung into it.

126. Do you recollect any other besides him who expressed a similar fear?—Yes, several; Mr. Joseph Harris also for one.

127. About what o'clock on the Thursday morning was the placard published?—Early in the morning.

128. What was the nature of the communications you received from the voters previous to your determination?—That the outrages and intimidation practised upon them, and the state of the excitement was so great, that they felt their lives would be perilled if Captain Moore persevered further.

129. Do you remember any particular voter who made that representation to you?—I remember Mr. Henry Bagnall, the petitioner did, and several others.

130. First of all Mr. Bagnall?—Mr. Bagnall certainly did.

131. What did he say?—He stated that from the frightful excitement created by the addresses of the priests from the balcony, he apprehended that his life would be perilled if he voted; that his house had been attacked, and large stones flung through his windows, and the life of himself and his wife on two or three occasions were greatly endangered, and from the threats used to him, he felt it his duty towards himself and his family to say that he could not, and would not, under the circumstances, feel justified in voting, and advised Captain Moore's retirement.

132. Did you see other persons besides Mr. Bagnall?—Several others.

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133. Then did you determine to retire?—Yes.

134. Were similar reasons given to you by other voters?—Several others.

135. Were they similar reasons?—Yes; it was the general feeling amongst Captain Moore's friends.

136. I think you have already mentioned that on the following day, the Thursday, the town was still in a state of uproar and confusion?—Yes.

137. Did that continue all the day?—It got comparatively quiet; I spent the entire of Thursday in Drogheda transacting business connected with the election, and the mob were in a state still of great excitement; I saw several persons knocked down, and at Simcox's Hotel, where I was, I think the police and lancers charged the mob on different occasions to clear the street.

138. Did you apply for assistance to the authorities in the course of that Thursday morning?—In the course of the afternoon I was in a state of great alarm, and I applied to the stipendiary magistrate, Captain Derenzy. I apprised him of the danger, and the feeling of the inhabitants; that, in fact, frightful damages would occur at night if sufficient protection were not afforded.

139. Did you take any information to him?—I prepared an information stating the apprehensions I felt, and the outrages I had experienced; and I have the document here.

140. Will you read it, if you please?—I applied to him to take the information, he being the only magistrate in Drogheda, as was then believed, who had authority to do so; he was sent by the Government to have the control over the force centred at Drogheda. He was the only person, as the magistrates believed, who had jurisdiction, and I therefore applied to him. He took me to the office of the court-house, called the tholsel, and told me there was no necessity to swear the information; that it would be a reflection upon the town. I replied that the state of alarm I was in imposed upon me a duty to seek protection, and to swear an information. He then read the information, and stated that he could not take it, because it reflected on Mr. Carty, the mayor of Drogheda; that if I would expunge the passages reflecting on Mr. Carty, he would then take it. I protested against his refusal, and stated that while he was discussing the propriety of this passage being included or excluded, lives might be lost. I then tendered this information, which I produce.

141. Will you read it, if you please?—"Borough of Drogheda to wit. The information of Pelham J. Mayne, of Talbot-street, in the city of Dublin, solicitor, conducting agent for Alexander Montgomery Moore, esq., a candidate at the election for the borough of Drogheda; who, being duly sworn, deposeth and saith, that the town of Drogheda has been for the last few days, and still is, in the hands of a riotous mob, who have been excited to an alarming extent in consequence of the pending contest, and instigated by inflammatory language addressed to them by individuals who are in the interest of James M'Cann, esq., one of the candidates. Informant further saith, that acts of the greatest violence have been committed both on yesterday and this day, and large riotous mobs have paraded the streets of the town, destroying property to a large amount, and committing acts of the greatest personal injury and insult to the respectable inhabitants of the town, whose lives and properties informant verily believes are in imminent peril; and the proprietors of shops in some of the leading thoroughfares have been obliged to close their shops. Saith, that the houses of several inhabitants, supposed to be hostile to the popular candidate, have been attacked, and the windows broken, and numerous assaults committed; and informant is prevented going out into the streets, apprehending personal violence. Informant further saith that adequate protection has not been afforded by the authorities; and unless the forces at their disposal are at once brought out and kept constantly in the streets until after the election, informant verily believes that great personal injury will be sustained, and lives lost: and informant saith that unless immediate protection be afforded, deponent has been advised to arm a body of civilians: the responsibility and the consequences which may follow must rest with the authorities. *Pelham J. Mayne.* Taken and sworn before me at Drogheda aforesaid, this 2d day of April 1857. Thomas T. Fogarty, J. P."

142. *Committee.*] In the information you put in are there words reflecting upon the mayor?—Simply stating the fact that protection had not been given by the mayor or the authorities. I on the previous night applied for protection, and it had not been given.

143. Are those the words that Mr. Derenzy objected to receive?—They are.

144. You

144. You now put it in as you tendered it to Mr. Derenzy?—Yes.

145. Were you allowed by Mr. Derenzy to lodge the information?—Mr. Derenzy finally refused it, and I had then to go half a quarter of a mile, through an infuriated mob, to the residence of another magistrate, Mr. Atkins; but he was not at home. I then had to return to seek another magistrate, Mr. Fogarty, and on my return, 15 minutes afterwards, Mr. Derenzy had refused the information; Mr. Derenzy came across the street and accompanied me to Mr. Fogarty's house; he protected me by two or three police with guns; they protected me to Mr. Fogarty's house, and Mr. Fogarty, under the circumstances, took the information. He at first objected, but I insisted, and I thereupon had the original information given to Mr. Derenzy, which is still in his possession, I believe.

146. Mr. *Hodges.*] Did you yourself return to Dublin that same afternoon?—That night I returned to Dublin.

147. What time in the day was it when you left Drogheda?—I think it was the five or six o'clock train.

148. Were things quiet when you left?—The mob was beginning to disperse after this scene in the Tolsey Office about this information; and after I had taken the information and sent it to Mr. Derenzy, I perceived an improvement in the appearance of the mob. I think it right to say that the priests were in the crowd driving the people away; I saw several ordering the mob to go home, and the mob were at once dispersing; when I left they were in the act of dispersing.

149. Now I will take you to an occurrence after the election; were claims made for compensation by several persons whose property had been injured and destroyed during the election?—I think there were eleven persons who did make the necessary application under the Grand Jury Act for compensation, grounded on an information of the facts.

150. Were you present?—Not when they made them, but I saw the originals.

151. The original presentments?—The original applications.

152. There were eleven altogether?—Eleven only were brought forward. I was present at the presentment sessions, when these parties appeared to sustain their claims by *vivâ voce* examination; I heard their examination.

153. *Committee.*] State what you heard?—I heard these eleven persons *vivâ voce*, upon oath, state to the presenting sessions the outrages perpetrated: the Presbyterian house of worship, the Methodist house of worship, the Protestant house of worship, all had their windows demolished by the mob, as also the houses of a great number of the electors in Mr. Moore's interest, Mr. Kelly's house, in which Captain Moore's committee met, and several other persons; I have a list, and I can mention the names, if you wish it. At the presentment sessions there were five for the presentments, and five against them.

154. Five what?—The court consists of cess-payers, who are to be associated with magistrates, as directed by the Grand Jury Act, and the entire court so constituted consisted of four or five magistrates and five cess-payers, I think— 10 in number altogether. Mr. Thomas Carty, the mayor, insisted on taking the chair. I drew his attention to the ninth section of the Act, which showed that the magistrates were first to proceed to elect a chairman. He said, if I spoke for a month he would hold the chair. I stated he was acting illegally. He, however, persevered; and I said I had no object but to protect him from acting illegally. He insisted on retaining the chair, and the several claims were brought forward. The formal proofs of notice being served on the proper officials were given, but an objection was raised by five out of the 10 associated parties that the proceedings were defective, because the magistrate who took the information did not write "J. P." after his name; that was the first objection. The second objection was, that they were entitled, "County of the Town of Drogheda," instead of "Borough of Drogheda;" though those persons were assembled to present for the county of the town of Drogheda, and not for the borough. The third objection was, that in the jurat it did not appear sufficiently clear where Mr. Atkinson, the justice, who took it, had taken the information, though it was entitled "County of the Town of Drogheda." Those were the three points raised by five out of the 10 assembled. Mr. Carty then insisted on his right to a casting vote, being chairman; and, accordingly, by his casting vote those 11 parties, whose houses had been demolished, were deprived so far of remedy.

155. Mr. *Hodges.*] It was five and five, and he gave the casting vote?—Yes.

156. And that got rid of the complaint?—Yes. I may state that the sessions

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were adjourned to the following Thursday, and finally it ended on the 11 being rejected on those three points of law.

157. After that you went to the assizes?—We then went to the grand jury, and I argued the question before the grand jury, and some of the grand jury insisted on not hearing me; some members of Mr. M'Cann's committee who were on it insisted on not hearing me, stating that I came there merely to create ill feeling among the inhabitants; and finally, when it appeared that the majority of the grand jury were for going into the merits, which I insisted was their duty under the Act, 11 out of the 23 grand jurymen simultaneously retired and left the room. Mr. Brodigan, who was foreman, called them back, but they retired. There was, however, a sufficient number (12) to give legal effect to the presentments, and those 12 passed the 11 presentments, entered upon the merits, and gave the amount claimed, with one exception, that of Mr. Kelly, who unfortunately not being present, his claim was reduced from 10*l.* to 5*l.*

158. After that was it referred to the judge at assizes?—It came before the judge at the following assizes.

159. What judge?—Judge Jackson.

160. What was the result?—Judge Jackson overruled all the points of law, and said Mr. Atkinson was as much a magistrate without "J. P." as with "J. P." He overruled all the points of law, and informed the mayor that he had as much right to preside as judge of assize that day as to assume the chair at the presenting sessions. The mayor relied on the Municipal Act, which makes him chairman in matters connected with municipal affairs.

161. And so the parties all got their compensation?—Yes.

Cross-examined by Mr. *Phinn.*

162. Was not the amount of compensation claimed 35*l.*, and you got 20*l.*?—I cannot tell the amount.

163. Just attend to me; was not the amount claimed 35*l.*, and did you not get 20*l.*?—I cannot tell the amount claimed.

164. Upon your oath, cannot you tell me what the amount claimed in the aggregate was?—Upon my oath I cannot.

165. Did you make a claim on behalf of Mr. Jordan for 15*l.*?—Yes.

166. Was it reduced to 3*l.*?—It was. I do not remember the amount claimed, but a much smaller amount was awarded than was claimed.

167. Was not the amount claimed 15*l.*?—I do not know; it was larger than was got.

168. Was it not five times larger than was got?—If it was 15*l.* I think it was.

169. Was not Mr. Brodigan on the grand jury at the time compensation was awarded, and also Mr. Jordan?—Yes.

170. So that he voted on his own compensation?—He voted to reduce his compensation to the sum he paid; the actual amount.

171. How came you to claim five times too much?—I did not claim it at all; he himself, and the other persons in Drogheda, when I was absent, and some weeks before the assizes, had, through the petty sessions clerk, sent in that and the other claims.

172. You are an attorney practising in Dublin, are you not?—I am.

173. Have you any practice at Drogheda, or office there?—I have.

174. Have you been engaged in previous elections at Drogheda?—Never professionally.

175. Do you not know that Mr. M'Cann was applied to in 1847 to stand, and refused?—I do not know; I have heard it.

176. Do you know that in 1852 he was returned without a contest?—I think he was; I know that Mr. M'Cann offered me a professional engagement on his election in 1852 through his agent, which I declined.

177. You have not told us who Captain Moore was; who is he?—He is a gentleman of property in the county of Tyrone.

178. Is he an officer serving in Dublin?—He is aide-de-camp to Lord Seaton, the Commander of Forces.

179. Had he any connection by property with Drogheda?—None, I believe.

180. As far as you know, had he ever been in Drogheda in his life before?—Frequently, I believe.

181. Was

181. Was he known to the inhabitants?—Yes; to one of the most respectable families in the neighbourhood.

182. How far from Drogheda?—Two miles.

183. Did you seek Mr. Moore as a candidate?—No.

184. Did you communicate with him before he came down?—I did.

185. Did you go to fetch him?—No.

186. Who did?—I think he fetched himself.

187. Did you go away from Drogheda to see him?—Not from Drogheda, but I had an interview.

188. Do not fence with the question; where did you see him?—I do not fence at all.

189. Where did you see him on the subject of the election?—For the first time in my life in Dublin, a short time before the election.

190. Was that the first introduction to him?—It was.

191. On the business of the election?—It was.

192. Did you become at that time his agent for conducting the election?—Not at that time.

193. Did he assent to stand at that time?—No.

194. How long before the election was that?—That was about the Thursday or Friday preceding the nomination.

195. Did he decline to stand?—No; he said he would ascertain the state of the constituency before he refused or promised.

196. When did he arrive?—First on Friday, I think.

197. At that time on the Saturday, had there been a number of candidates on the ground?—Mr. Brodigan and Mr. M'Cann, and I think also a person of the name of M'Donnell. I never saw him, and do not know who he was.

198. Is that the sack manufacturer in Dublin?—I think I have heard so, but I do not know the man; I never heard of him till then.

199. Had you consulted with anybody before you saw Captain Moore?—I do not understand what you mean.

200. Had you consulted with anybody on the subject of the election before you saw Mr. Moore?—No; but there were some meetings of the electors to consider what should be done at the approaching election.

201. Did Mr. Jordan attend those meetings?—I think he did.

202. Did the high sheriff attend?—I think not.

203. Are you sure?—I am nearly certain he did not; my recollection is that he did not.

204. Mr. S. George Smith did?—Yes.

205. Did Dr. Atkinson?—I think so; he certainly did so afterwards, and I think at the preliminary meetings.

206. And Mr. Thomas Hammond?—I think so.

207. You have spoken of Mr. Christopher Jordan; is he a gentleman of some weight there; he was a gentleman formerly in trade, was he not?—Yes; I think he had been in trade.

208. In the tallow-chandlering trade?—Yes; a great many years ago.

209. And he has since retired?—I believe so; he has had no establishment of that sort for many years in Drogheda.

210. If I understand you, you canvassed the town on the Saturday and on the Monday; did you canvass on the Tuesday?—Yes.

211. Were there not ladies canvassing the town, assisting you on the Tuesday?—No; the ladies did not, I am sorry to say.

212. Were there not some ladies in the interest of Captain Moore canvassing?—There were some ladies in the town; whether they were in his interest or not I do not know.

213. Were they driving about the town on that Tuesday?—There were some ladies.

214. Were you terribly frightened on the Tuesday?—By the ladies?

215. No; by the mob?—I must admit that I was.

216. The ladies were not so much frightened as you were?—I think they probably had less reason, for they are the very last individuals the mob would have hurt.

217. They would prefer the ladies to an attorney at all times, we know?—They show their taste, I think; and so would I.

218. On the Monday you say you were in the committee-room, and some stones

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were thrown in; how many stones, do you think, came in?—I could not form an opinion.

219. Half a dozen?—I dare say several dozen.

220. Have you any of those interesting geological specimens here?—I have not, but a person of more geological taste than I have, has; I thought there were stones enough here without bringing them across.

221. How many windows were broken?—I believe a great many; all in front.

222. Be good enough to answer my question?—I do not know how many.

223. How much did you receive for damage to windows in that place in which you were sitting?—None.

224. How much did the jury give?—The amount awarded.

225. How much?—Probably 15*l.* or 20*l.* or 30*l.*

226. For the windows of your committee-room?—I think only 5*l.*; there was 10*l.* awarded by the grand jury, but Mr. Kelly not being there to sustain it, one bill was produced for 5*l.*, and they would not go beyond that.

227. Can you show the Committee any scratch you received?—No.

228. Did anybody strike you?—I received several blows from stones.

229. Where?—In the body.

230. Have you got a mark to show?—I do not think I have; I was not injured.

231. While you were outside on the nomination day among the mob did anybody strike you?—I was not in the mob that day, except the short distance from the committee-room to the court-house door; perhaps 30 yards.

232. I thought you told us you waited outside the court-house in the mob for half an hour?—Yes.

233. Did you receive a single scratch there?—I do not think I did.

234. Can you tell me any party that did; tell me one?—I think Mr. M'Ghee, the attorney, was trampled upon.

235. Is he an attorney?—Yes.

236. Is he here?—I do not know; I do not believe he is.

237. Are you conducting this petition?—Yes.

238. Have you brought him here as a witness?—He was served with a Speaker's warrant, but I do not know that he has come to London.

239. Have you notified to him to attend here?—I did.

240. With that exception, tell me the name of any one person that, whilst you were waiting outside the court-house, got a scratch or injury?—I cannot.

241. You say on the night of the nomination you went out into the town; the night before the nomination?—Yes, the evening before.

242. Did you receive a single scratch or injury on that occasion?—No.

243. Can you tell me any one individual in the town who was injured on the Monday?—I do not think any person was; I did not hear it.

244. On the night before the nomination did you go out into the town?—Yes.

245. How long were you out?—A short time; only while going from the committee-room to the sheriff's house.

246. How far was the sheriff's house?—About 80 to 100 paces.

247. Did you return?—I did.

248. Did you afterwards go from this committee-room to your lodgings?—Yes.

249. How far was that?—To the hotel?

250. How far was that?—About the same distance.

251. Did anybody strike you, or hurt you, during that time?—No.

252. You say there was prodigious excitement?—There was great excitement.

253. In the court-house you say Mr. Johnson laid hold of you, and tried to pitch you off the platform?—Yes.

254. Had you some hard words with him before?—I do not think I ever spoke to the man before in my life.

255. Before he laid hold of you, did you not lift your hand?—No, I never knew him before that day; upon being assaulted I ascertained he was Mr. Michael Johnson, and I now know who he was.

256. Are you in the habit of attending the sessions of the town of Drogheda?—No.

257. Are

257. Are you aware whether any single person has been taken up before the magistrates, or tried for any assault committed during the election?—I am not aware; I may say that I have heard that several persons were charged with offences, and were liberated by M'Cann's friends.

258. Who have you heard that from?—I think Mr. Richard Smith stated that he had taken a man in the act of committing an assault, and given him into the custody of the police, and he was discharged immediately afterwards.

259. Is Mr. Richard Smith here?—He is in the lobby.

260. Have you investigated those cases as part of the case for this petition, those cases of assault; you say there were several cases in which the people were discharged?—I did not investigate those cases; several of those were strangers whose names were unknown to me.

261. Then you heard such cases had occurred?—Yes.

262. Were you not aware, by going to the magistrate's offices, you could have got the names and summonses, and so on?—Perhaps I could.

263. Have you been engaged in getting up evidence for this petition?—I have.

264. After the nomination, was a notice served upon you to declare the qualification of Captain Moore?—I think not on me, but there was one served, I think, on Captain Moore.

265. How long was that before the determination to give up the contest?—Probably seven or eight hours; it was served about 12 o'clock.

266. On the Wednesday?—About the time of nomination, I think.

267. Was that after the nomination?—I cannot tell; it was not served upon me.

268. Did you see it?—Yes.

269. Did Captain Moore give it you as his adviser?—I cannot remember, but I know a notice was served.

270. Did you ever declare the qualification of Captain Moore?—There was a statement, as required by Act of Parliament, returned to the election auditor, I believe.

271. Of the qualification?—Yes.

272. To the election auditor?—I think he is the proper officer.

273. How long have you had any conduct of elections?—I think the Act of Parliament is very ambiguous upon the point. If you read the Act of Parliament, you will probably be of the same opinion yourself. I read the Act, and could not from it understand who was to get that declaration. It says it is to be made before a magistrate, and is totally silent as to what is to be done with it.

274. And you thought it was to be returned to the election auditor?—My impression was that it was similar to the notice of appointing our agents, which is to be given to the auditor; but now I recollect the Act is silent upon the subject as to whom it is to be given to.

275. After Mr. Moore's determination to retire, did you see Mr. M'Cann?—Yes, frequently.

276. Did you see him that evening?—I think he was in the hotel.

277. Did you wish him joy on the retirement of Captain Moore, and drink a glass of punch with him, and drink his health on his success?—I certainly may have drunk a glass of punch, but as to drinking it on his success, I did not. I may have drunk a glass of punch that night.

278. Did you drink to his success?—No.

279. On your oath?—On my oath I believe I did not.

280. Do you swear you did not?—I will not swear.

281. Did you drink his health as Member for Drogheda?—Certainly not. We were dining, I think, at the same table; there was a large table in the coffee-room, and Mr. M'Cann came in.

282. Did you not converse with Mr. M'Cann some time during that evening?—When Mr. M'Cann came in, he shook hands with me and some other gentlemen at table.

283. Did you make the slightest complaint to him or those of his party at that time of his conduct?—No, I am sure I did not. I never mentioned the subject to him.

284. Did you talk about the election to Mr. M'Cann?—I do not think I did.

285. Will you swear you did not?—I will not; I may have done so.

 286. Did

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286. Did you not, in fact?—I believe I did not; but it is quite possible there might have been a conversation about it.

287. Was not your dining and conversation with Mr. M'Cann after the determination that Mr. Moore should retire?—Yes.

288. When you considered your business for the day terminated, did you call upon Mr. M'Cann for the purpose of informing him Captain Moore had retired?—Certainly not; I had no communication with him upon the subject.

289. But after the retirement, you dined at the same table?—I was dining at Simcox's hotel that night, and Mr. M'Cann came and sat down at the same table, and took a glass of punch, and I think I did; that is my recollection.

290. Did you not shake hands with him, and wish him joy of his election?—I think not; I think we shook hands, and I hope to do so to-day.

291. Were you in a great fright that evening?—No, I was not; in the hotel I was very comfortable.

292. You were a stranger, comparatively, going back to Dublin; how came you to take such interest in the peace of the town when you determined on retiring?—I am not a stranger; I am connected by family with Drogheda, and spend some part of my time there, and have practised there all my life.

293. You were going to Dublin, you know?—I was; I found such great outrages were being perpetrated, that it was my duty to put down such intimidation if possible.

294. Did you contemplate a petition then?—Not anything of the sort.

295. When first did you?—When the parties in Drogheda instructed me upon the subject.

296. How long ago was that?—Shortly after; immediately after the election; in fact, there was a statement written that night for the purpose of showing, unequivocally, the reason why we retired.

297. Did you then contemplate a petition?—I did; and the day before, on tendering that information to Mr. Derenzy, I felt satisfied the parties would petition.

298. Was not that information taken to Captain Derenzy for the mere purpose of a petition?—Certainly not.

299. Will you swear that?—Yes.

300. Had you not discussed the propriety of that just before you made that declaration to Captain Derenzy?—Certainly not.

301. Did you contemplate a petition at all before you tendered the first declaration to Captain Derenzy?—Certainly not.

302. Did you before you tendered the second?—No.

303. Had it been discussed at all?—No.

304. I thought you said you contemplated the petition directly after the election?—I felt satisfied, from the outrages perpetrated, there would be a petition.

305. Had a word been said about it at the time you presented that second information to Captain Derenzy?—I am not quite sure; I cannot state that.

306. But there was a candidate still in the field, Mr. Brodigan?—Yes.

307. Are you aware he went to the poll?—I am.

308. Are you aware that, under the Irish Act, the sheriff has the power of adjourning the poll, if necessary?—Yes.

309. Was not the high sheriff a friend of your own?—Yes; I believe he would have voted for Captain Moore.

310. Had he not been selected as sheriff on the retirement of Mr. Brodigan, on purpose for Mr. Brodigan to contest the borough?—I have no reason to form any opinion on the subject; I never before heard it.

311. Are you aware Mr. Brodigan had been high sheriff up to within a month of the election?—I am.

312. Up to within a week of the election?—Up to within a week.

313. Up to the very day of issuing the writ?—I do not know.

314. Do you not know he received the writ?—I do not; he was not a client of mine, and never consulted me.

315. Then Mr. Brodigan had just retired, in order to become a candidate?—I do not know that at all.

316. He had retired?—Yes.

317. You cannot tell his reason at all?—I believe his reason was, in order to become a candidate.

318. My friend says Captain Moore has nothing to do with this petition; is that

that true?—Yes; and I do not believe he was aware of it till the night before last; he may have seen it in the public papers, but he was never apprised by me.

319. Then he is not liable for the costs of it in any way?—No; he has nothing to do with it.

320. And you do not look to him at all?—No; the night before last I called on him, to know if he would attend as a witness, if desired, and he said he was quite ready; he has been away weeks from Dublin.

Re-examined by Mr. *Slade*.

321. About this drinking a glass of punch; was there a large public table in the public coffee-room?—A very long table.

322. Were you sitting there with others?—I was.

323. Any gentleman coming into that room might take a seat at that table without offence?—Several did.

324. Not of the same party?—Yes, several strangers; it is a public coffee-room.

325. Did Mr. M'Cann come in there and call for a glass of punch and offer you his hand?—When he came into the room he shook hands with me, and two or three other gentlemen sitting there.

326. Was this the day of the election?—On the night I think of the day Mr. Moore determined on resigning.

327. On the night of the nomination; my friend put it offensively upon your oath, whether you did not congratulate him; you could not do it, could you, for the election had not come off?—No.

328. It was two days before the election?—Yes.

329. With regard to the qualification, whether you correctly interpreted the Irish Act of Parliament or not, did you make a return of Captain Moore's qualification?—I did; I have it here, if you would like to see it.

330. With reference to the question, whether you were struck while waiting outside the court-house on the day of the nomination before the door was opened, till you were protected by a double file of police?—Yes.

331. And they were not able to get into the court-house?—No; very few got in at all.

332. With reference to your escaping when you walked a hundred paces from the committee-room to the court-house, were you enabled to walk that distance without meeting with the mob?—No; mob attacked us.

333. You told my friend on the night before the nomination you went out into the town, about a hundred paces from the committee-room; were you protected by the police then?—I think not; I was the night before. I think I avoided the mob. I think the mob were then hearing speeches from the balcony.

334. You were not in a condition to get struck?—I think I was not assaulted then.

335. Were the ladies driving about the town; the ladies connected with the other party?—I saw some ladies driving through Drogheda in the course of the day; I do not think I saw any ladies driving through the town after Monday; they would have scarcely ventured.

336. Did you see any ladies after Monday, to the best of your belief?—I do not think I did; I think not.

Examined by the *Committee*.

337. Did you say you received no reply at all, verbal or otherwise, to your application to the mayor on Tuesday for police?—Yes; a messenger brought me a reply to say "he need not wait," that there was no answer.

338. A verbal reply?—Yes; his answer was, "There is no occasion"—this is what the person told me—"there is no occasion for your waiting for an answer."

339. You stated in the first part of your evidence that on Tuesday night a large mob was in front of Mr. M'Cann's hotel?—The White Horse.

340. You said people were addressing the mob and exciting the mob from that hotel?—I said I was too far off to know.

341. Who were those persons?—They were, I presume, Mr. M'Cann's committee. It was from his committee-rooms they were addressing them.

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342. But you do not know who they were?—No, I could not state who they were.

343. Mr. *Phinn.*] When you applied to Captain Derenzy, did not Captain Derenzy offer you any protection you required on the Thursday?—He offered all the protection he could give after the necessity for it had ceased, but he refused to take my information when I stated to him I was in great alarm of fatal results if protection were not given. He then refused to take the information.

[The Witness withdrew.

Captain Sir *William Gordon* was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Captain Sir *W. Gordon.*

344. ARE you a Captain in the 17th Lancers?—Yes.

345. Were you ordered on duty with your troop to Drogheda at the last election?—I was.

346. Where did you come from?—From Dublin.

347. What day did you get there?—The day previous to the election; I forget the day.

348. Do you remember whether it was the day of the election, or of the nomination?—It was the day previous to the nomination, I think.

349. That would be on a Tuesday?—Yes.

350. Did you march from Dublin by the road or come down by rail?—By road, a two days' march.

351. What day did you start from Dublin?—Two days before; it was on a Monday.

352. The second day you reached Drogheda?—Yes.

353. When you arrived in Drogheda will you tell the Committee what was the state of the town?—It was in a very excited state at the time: the presence of the troops and police was very necessary at that time; if they had not been there, I am very much convinced serious things would have taken place.

354. *Committee.*] You arrived on the Tuesday of the election?—We left Dublin on the Monday.

355. Mr. *Slade.*] Direct your attention to the White Horse hotel, if you please: were you near that hotel on the night of Tuesday, the day of your arrival?—Yes, several times.

356. Did you see or hear anybody addressing the people from the balcony of that hotel?—I did.

357. From their dress, had you an opportunity of knowing what class of life they were in?—Yes, they were priests.

358. Were you near enough to hear anything which those priests said to the mob?—I was.

359. Will you tell the Committee what you heard any one of those priests say to the mob?—I considered that their language was most inflammatory in every way, and calculated to excite the mob; making it a question of religion; and stating that if they voted against the opposite party, they would vote against their religion.

360. What do you mean by the opposite party?—Against M'Cann. If they voted against M'Cann, they would vote against their religion, and God Almighty.

361. Did they say who or what they would be voting for if they voted for M'Cann?—No; had I paid attention, I do not doubt I should have heard much more; my object was to keep out of the way, being in command of the troops, unless called on to act.

362. Were you all mounted in uniform?—Yes.

363. Was the mob very dense?—It was very dense.

364. In what state did they appear to be then, when this language was addressed to them?—I considered they were ready to do anything if M'Cann had not carried the day.

365. Do you recollect any other language that was used?—There were many things I heard which I do not remember particularly.

366. Was

366. Was the language that was used from that balcony calculated to excite the mob to deeds of violence and lawlessness?

Mr. *James* objected to the question.

The *Witness.*] What I have stated, I heard said; I cannot say I heard more.

367. Mr. *Slade.*] Was there a great deal of language of that character, though you cannot recollect the exact words?—Yes, there was; it was calculated to excite the mob in that way. I heard several priests address the mob.

368. *Committee.*] From the balcony?—From the balcony. I will not say one balcony, but different balconies; chiefly from the balcony of the White Horse hotel.

369. Anywhere but at the White Horse?—I think they were on one occasion in another balcony, but they were principally there. They addressed the mob in several parts of the town.

370. Mr. *James.*] Did you hear that?—Yes, in several parts of the town.

371. Mr. *Slade.*] Do you know how many priests there were in the balcony?—I cannot say; I saw upwards of three or four priests there; nor could I identify them, but they were priests.

372. Did the priests exercise any authority over the mob when the troops were coming?—Yes.

373. Just tell the Committee what that was?—I was ordered to march my troop up the street, and when the priests saw me come, heading my troop, they requested the mob to stand by and let me through, which they did at once.

374. Did this continue beyond the Tuesday when you first arrived?—It did.

375. Did you hear the same sort of language, and see the same sort of conduct on the Wednesday?—I did.

376. And did the mob still continue?—It still continued.

377. Perhaps you can tell us, being a soldier, and being accustomed to be with mobs, what was the apparent number of the mob?—I have had no great practice as regards mobs, but it was a very large mob.

378. Many thousands?—I should think there were at least four or five thousand.

379. Did you see any assault made by the mob upon anybody?—I saw several of the voters insulted as they passed along the street.

380. In what way?—Spit upon.

381. Did you see any stones flying?—Yes.

382. Against the voters, or against the houses?—They were meant for the voters. I saw a policeman knocked over; struck on the face with a stone.

383. I suppose you could not act without the orders of your superior?—No.

384. Was Captain Derenzy your superior?—Yes.

385. Is he a stipendiary magistrate?—Yes; I was under his orders.

386. Of course you were obliged to sit quietly by on your horses at the head of your troop while this was going on?—Yes.

387. No attempt was made to attack your troops?—No.

388. I believe as far as you were concerned and the troops, the priests were your best protection?—They were.

389. But these priests did not protect the voters?—No, they did not.

390. Were they addressing the people from the balcony, on the Wednesday, on the day of nomination?—Yes, they were.

391. And using exciting language?—Using the same language.

392. Had you any apprehensions as to the state of the town?—Yes, I considered it in great danger at one time.

393. At what time did you consider the town in great danger?—Before Mr. M'Cann was declared to have carried the day.

394. Were you aware when an address was put out intimating that Captain Moore had retired from the contest?—I was not aware at the moment.

395. Were you aware of it on that day?—On that day I was aware that he had retired, by himself stating it to me.

396. Did you see any sensible alteration in the mob after that declaration?—I cannot say I did particularly at that news, not until Mr. M'Cann was declared elected.

397. The town was still in an excited state until Mr. M'Cann was declared elected, was it?—Yes.

Cross-examined by Mr. *James*.

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398. Had you ever been at an Irish election before?—No.

399. Have you been at elections at Westminster and seen the hustings at Covent-garden?—No.

400. Do you know that in most of the elections in Ireland troops are required, and in many of the counties to escort voters to the poll?—I am aware of that.

401. Had you to escort any voters to the poll?—No.

402. Were you called out to escort a single voter to the poll?—No.

403. Where were you on the polling-day?—I was in the streets, but I was not allowed to be very close to the mob, or I should have seen what they did; the police were so efficient that I was not required.

404. Where did your troop remain on the polling-day?—In the back streets; sometimes they were called on to parade down the centre street to clear the way.

405. You were not called on to escort a single voter to the poll?—No.

406. Did you not know that Captain Moore retired on the nomination directly after his qualification was demanded; did you know that he retired on the day of nomination, the Wednesday; you were staying with him, were you not?—I was staying at the same hotel.

407. Did he not retire on the day of nomination; I will not say because his qualification was demanded; but after his qualification was demanded?—He retired, I believe, because he was recommended; had he gone on, the acts of the mob would have been so very serious.

408. Did you know from him that his qualification was demanded?—No, I did not.

409. Is this the first time you have heard that, on the nomination, his qualification was demanded?—Yes.

410. What time of the day did he retire?—It was in the afternoon; I do not know the hour.

411. Captain Moore is not petitioning?—No.

412. After Captain Moore retired the contest was between Mr. Brodigan and Mr. M'Cann?—Yes.

413. Mr. Brodigan is a Roman-catholic, is he not?—I believe he is.

414. Did you see him about with the priests?—I did not.

415. Did you see him at all?—I did not.

416. Then the contest, after Mr. Moore retired on the evening of the nomination day, was left to Mr. Brodigan and Mr. M'Cann, both of whom are Roman-catholics; where did Captain Moore go after the nomination?—He remained at the hotel.

417. Did he remain in the town over the polling-day?—I think he did.

418. Have you any doubt that he did not leave till after the election?—He remained in the hotel, because he was rather afraid to leave it.

419. But he was with you?—Yes.

420. A soldier, and fear?—He was afraid to leave because he had not protection; I was not allowed to protect him without orders, or I could have escorted him.

421. You say you were never at an Irish election before; do you know that it is usual to place the military when they are sent to an Irish election under the directions of a stipendiary magistrate?—Yes.

422. Under whose direction, as stipendiary magistrate, was your troop placed?—Mr. Derenzy.

423. He had been sent by Government?—Yes.

424. And they generally send stipendiary magistrates from some other part of the country, do they not, to preserve impartiality?—I am aware of that.

425. Where had Mr. Derenzy come from?—I do not know.

426. Some other part of Ireland?—Yes.

427. Where did he remain?—At the White Horse Hotel, I think.

428. With you?—No; we were at the other hotel.

429. As I understand, during the poll, you were not called on to act at all?—I was under arms the whole time.

430. Were you called on to act?—I was not called on to charge the mob, or force them away; but my presence was necessary to keep the street clear.

431. Were you called on to act in any way, to escort any voter, or to come into any street to protect one on any complaint of any voter?—I was called on to clear the street, so that voters might walk up it.

432. Were you called on on any emergency to interfere in consequence of any riot or attack on any human being on the polling-day?—I was not called upon.

433. Were you at the poll at all?—I was not.

434. Could you see from where you were stationed the polling? Did they poll at the court-house?—At the court-house.

435. Did you see it at all?—I saw the voters going in and out.

436. But you were not stationed where you could command the polling?—Not all day; but I was frequently ordered to march past to clear the street.

437. But how was it on the Thursday, Mr. Moore had retired on the nomination day: how was it on the Thursday?——

438. *Committee.*] Does the evidence you have been giving as to clearing the streets relate to the day of the polling?—I was called on on both days; I was under arms, and ordered to clear the streets both on the polling day and on the nomination day.

439. After Mr. Moore had retired on the Wednesday?—Yes.

440. Mr. *James.*] How was it on the Thursday; had it subsided a good deal?—No, it was still in a very disturbed state.

441. When you say it was in a disturbed state, was any thing done on the Wednesday?—I was an eye-witness to two policemen being knocked down with stones.

442. On what day?—I forget which day.

443. Had not the feeling much subsided on Thursday and Friday after Mr. Moore had retired?—No, I do not think it had.

444. Did you see anybody injured on the Thursday; direct your attention, if you please, to that time?—I cannot swear to the day.

445. What was the day on which you saw the policeman struck?—It was the polling day, I think.

446. Or the nomination day, which?—I could not swear to it.

447. Can you swear to any assault being committed on any person on the polling day?—I was called out on each day.

448. Were you called out with reference to any assault or attack on any individual, or to escort any voter to the poll; were you called on to do more than clear the streets to make way for voters?—No.

449. On that polling day can you state a single assault you saw committed?—I saw a policeman knocked down and nearly killed.

450. Is that the same policeman?—I am not certain as to the day.

451. Did you see any voter assaulted; Brodigan's or M'Cann's?—I saw several insulted; but being a stranger, I did not know them. As I walked along the street the mob spit upon them.

452. Who spit upon who? Did M'Cann's voters spit on Moore's and Moore's on M'Cann's?—It was chiefly on Moore's voters; it was the mob who did it.

453. You have spoken of voters being insulted; whose voters?—Being a stranger I cannot say.

454. Can you tell whose voters they were who were insulted?—No, not on that day; the day before I happened to know two or three of Captain Moore's voters who were insulted.

455. Could you see any distinction between those who voted for Brodigan and those who voted for M'Cann?—No, I cannot say I knew any difference, being a stranger.

Re-examined by Mr. *Slade.*

456. Were there any distinguishing marks of the voters of Mr. Moore?—No, except that I knew one or two of Captain Moore's party; I happened to know them.

457. Did you see those insulted and spit on?—Yes.

458. This assault upon the policeman, was it something more than a mere assault; was it a serious thing?—Very serious; he was nearly killed; in fact, he was obliged to give up his position in consequence.

459. Do you know his name?—I do not know the name of the policeman.

460. Did you see more than one assault of that character?—I saw two.

Examined by the *Committee.*

461. You say on the morning of the day of the polling you could see from where you were several times the polling place?—I could.

462. And you saw voters going in and out?—Yes.

 463. Did

Captain Sir *W. Gordon.*

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463. Did you see any obstruction offered to any voter going in and out?—I did not see them stopped, because the police prevented the mob doing so.

464. The voters could go in and out freely; is that the impression on your mind from what you saw?—I should not say that timid voters could; some voters might have the pluck to do so, but many, I should say, were obstructed from the conduct of the mob.

465. But the police were so efficient that you were not called in to succour any voter, and they could go in and out, though at some risk?—Some risk; great risk, I should say.

[The Witness withdrew.

Mr. *Alexander M'Dougall* was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Mr. *A M'Dougall.*

466. ARE you proprietor of a newspaper published in Drogheda, called the "Drogheda Conservative"?—I am.

467. Are you one of the voters for the borough?—I am.

468. At the last election do you remember on Saturday the 28th of March seeing Mr. M'Cann?—I do.

469. Did you know at that time that he was one of the candidates for the coming election?—I did.

470. Did you speak to him on the subject?—I did.

471. What did you say to him?—I requested Mr. M'Cann's permission to insert two advertisements.

472. What answer did he make to that application?—He declined giving me the order at that time; but in about 15 minutes afterwards I saw him, and he told me he had left the two advertisements alluded to at my office.

473. Do you use the very words that he made use of to you; do you recollect the exact words?—He called me from one side of the street to the other, and told me he had been at my office, and had left the advertisements at my office, and for me to have them correctly inserted.

474. Do you recollect his saying anything more about it, how they should be done, or anything of that kind?—Merely to have them correctly inserted.

475. Did you then go to your office?—I went immediately to the office.

476. And did you find the advertisements?—I found the advertisements.

477. Have you got the advertisements which you found left there?—I have (*producing them*).

478. Are those the documents he left?—They are.

479. Did you insert those advertisements in your next paper?—I did.

480. Have you got the newspaper here?—I have not; I have a slip cut from the "Conservative" by a party from Drogheda; this (*producing the slip*) is part of the "Conservative Journal."

481. What day did you insert this?—On the 28th of March.

482. And does this correspond with the document which you found at your house; is it correct according to the slip you found left at your house?—I believe it to be so.

483. That is the copy from which you printed it?—Yes.

(*The Witness delivered in the following Advertisement:*)

DROGHEDA ELECTION.

WE, the undersigned electors, have formed ourselves into a committee to secure the return of James M'Cann, Esq.

27th March 1857.

Thomas Carty, Mayor.	John M'Cann, Beamond.
John Chadwick, J. P.	Francis Maguire.
Patrick Ternan, jun., T. C.	Patrick Kelly, O. S. A.
Alderman William Campbell.	Thomas Daly.
Francis Chadwick.	William Owens.
Robert Pentland, M. D.	John Henry M'Cann.
John Gradwell, J. P.	Nicholas Verdon.
Richard Gradwell, J. P.	Patrick Brennan, T. C.
George Pentland, J. P., Blackhall.	James Redington.
John M'Namara.	Patrick Byrne, T. C.

James

James Nugent.
Patrick Elcock, T. C.
Patrick Casey, Alderman.
Richard Whearty.
Christopher Greene.
Richard Maguire, J. P.
Thomas S. M'Cann.
Patrick Hanratty, C. C.
F. Montague, C. C.
J. Macken, C. C.
J. Powderly, C. C.
Denis Ford.
Thomas M'Cann.
Felix M'Cabe.
Joseph M'Cann Beamond.
Patrick Boylan, Alderman.
Michael Chester, Stonehouse.
Michael Johnstone.
Lawrence Murray.
Patrick Malone.
Patrick Fedigan.
Patrick M'Cabe.
P. J. Grey.
Thomas B. Maguire.
Henry M'Cann.
John Carroll.
Patrick Courtney.
John Campbell.
Owen M'Entegart.
John Rath.
Mathew Weir.
Nugent Dardis, O. S. F.
Michael Macken.
Ignatius M'Donald.
Thomas Kerley.
Bartholomew Courtney, West-street.
James Curtis.
Patrick Lynagh.
James Levins.
Thomas Delaney.
Patrick Courtney, jun.
Michael Finegan, jun.
Michael Finegan, sen.
John Moore, T. C.
Richard Moore.
James Kennedy.
Thomas Greene.
Peter Greene.
James Greene.
Nicholas Boylan.
Patrick Walsh.
Michael Walsh, T. C.
William Boylan.
William Kertland, T. C.
James Hand, T. C.
Robert Skelly.
Robert Finegan.
James Thornton.
Thomas M'Grath.
John Kelly.
John Halligan.
Patrick Mathews, Peter-street.
Thomas Sheridan.
Thomas Carpenter.
John Gormley.
Owen Beahan, jun.
Patrick Brady.
Patrick Maguire.
Patrick Healy.
Felix Deolin.
Patrick Donegan.
Isidore Dilger.
Patrick M'Loughlin.
Joseph Kierans.
Patrick Finegan.
John Walsh.
William Clinton.
Alexander M'Cann.
Bernard Brady.
Thomas Brady.
Michael Faulkner.
James Butterly, T. C.
John O'Neill, T. C.
James Hickey.
Felix Rice.
James M'Geown.
Thomas Moonan.
Michael Healy.
Owen Duffy.
Thomas Pentony.
Richard Pentony.
Simon Carroll.
Hugh Reilly.
Thomas Reilly.
John Reilly.
Thomas M'Quillan.
James Sherlock.
Michael Daly.
Patrick Sherlock.
John Tormay.
James Finegan.
Augustine Balfe.
Joseph Prendergast.
Patrick Toner.
Denis Dunne.
William Coagan.
Nicholas Downes.
Joseph M'Phillips.
Laurence Pentony.
John Owens.
Michael Fox.
Thomas Collins.
Thomas Dalton.
Patrick Finegan.
John Murphy.
Luke Greene.

484. That was published in the Conservative newspaper that same week, was it?—It was.

485. How many times did you insert it in the paper?—Once.

486. Did you afterwards send your charge for inserting it in your newspaper to Rath, who was the officer for election expenses, appointed by Mr. M'Cann?—I did.

487. Is he the book-keeper and clerk to Mr. M'Cann?—I believe he is; I am told he is, I am not aware personally.

488. When you had sent in your bill did you go to Rath for the purpose of being paid, or to Mr. M'Cann?—I went to Mr. Rath as agent; I was told he was agent for Mr. M'Cann, and paid all the accounts.

489. And did you receive the money?—I did, subject to a slight deduction.

 490. Now

Mr. *A. M'Dougall.*

30 July 1857.

490. Now I will take you to another part of the case; were you at Drogheda during the canvassing for this election?—I was.

491. Were you there on Tuesday, Wednesday and Thursday, the three days before the polling took place?—I was.

492. Did you happen to live near to Captain Moore's committee-room?—Next door.

493. Will you state, if you please, what the state of the town was during these three days, the Tuesday, Wednesday and Thursday?—It was very riotous generally, in a very violent state; the windows of the house next to my house were smashed in, that was Mr. Moore's committee-room; and I had reason to fear that my own would be smashed, and I had them barricaded from within.

494. State in what manner?—With strong boards inside, and planks of timber supporting them; it was at the time the smashing commenced at the next house that I had this done.

495. *Committee.*] Did you put the barricade inside the windows or outside?—Inside.

496. Did you have that done to all your windows?—I had four, and I had the shop closed.

497. All the day?—Yes.

498. Your wife and family; what did you do with them?—My wife remained in the house; my children I sent into the country during the election.

499. Where did you send the children?—I was afraid of the windows being smashed, and some of the children being injured by the stones.

500. And so you sent them away?—I sent them away into the country.

501. Was any violence done to your house, or anything that excited your alarm?—No, not the slightest.

502. Did you find anything at the door of your house?—Yes; the mob outside pushed in the door a short way, and about a dozen or so got into the hall; however, I got them out, and the door was closed, and they made use of an expression which alarmed Mrs. M'Dougall very much; "Burn the house;" and lucifer matches were struck at the time, and ignited outside the door.

503. Do you recollect what evening that was?—The evening of the day of the nomination.

504. Was the conduct of the people who tried to burst into your house violent?—It was violent; they were nearly drunk; they wanted some more money for drink.

505. Were you alarmed by these proceedings?—I was.

506. Did you take any precaution when you went to bed?—I had firearms in the house; in my bed-room.

507. You apprehended you might want to use them?

Mr. *Phinn* objected to the question.

The question was waived.

508. *Committee.*] Do you mean you got firearms for this purpose, or did you always have them?—(*No answer*).

509. Mr. *Hodges.*] Where did you keep these firearms?—In my bed-room.

510. Why did you keep them in your bed-room?—I was afraid of the hall-door being burst open, and parties getting into the house; it was surrounded by a very large mob; the violence was outside.

Cross-examined by Mr. *Phinn.*

511. You were frightened, but not at all hurt, I hope?—Not at all.

512. What firearms did you get into your house on this occasion?—I got a large pistol.

513. Had you any firearms before?—I had a small pistol, but it was of no use.

514. Did you load this pistol?—I loaded the large pistol.

515. But I am glad to think you had no opportunity of using it?—I am very glad also.

516. You are the proprietor of the Conservative newspaper, and I suppose rather an active partisan there?—No; I do not interfere much.

517. You

517. You never had a Conservative Member in Drogheda, as long as you can recollect, had you?—I have been only a few years in Drogheda altogether.

518. How many years?—Since 1848.

519. Since that time you have never had a Conservative Member, I think?—No.

520. I believe the election in 1852 was virtually an unopposed election as regards Mr. M'Cann?—I believe, as well as my memory serves me, that there was some other party nominated.

521. A Mr. M'Ghee, I think?—I think Sir William Somerville was also spoken of.

522. Mr. M'Cann carries on a large commercial business there, does he not, and his sons?—I believe he does.

523. You know him, do you not?—I have known him for years, and believe him to be a very extensive merchant; but I have no proof of it.

524. Did you vote for Mr. Brodigan?—I did.

525. He is a Roman-catholic, is he not?—He is.

526. Had you any difficulty in getting up to the poll?—I had not.

527. Were you frightened that day; you did not take your pistol with you, did you?—No, I did not.

528. I believe you had seen this advertisement in another newspaper, had you not; and you applied, as is usual, to Mr. M'Cann to insert it in yours?—I don't know whether I was informed of it, or had seen it.

529. It is usual, when an advertisement is put in, for a gentleman interested in any other paper to solicit its insertion; was that the way it was done?—It was.

530. You say you barricaded your windows; that was inside?—Yes.

531. You had nothing to barricade them with outside?—Nothing.

532. Had you a single pane of glass broken?—Not a single pane.

533. I believe at the time you inserted your advertisement, you wrote an article about this committee, did you not?—I am not aware, from memory, if we did.

534. Have you not got your newspaper?—I have not, I was not instructed to bring it.

535. Was there a reason why you were not instructed to bring it?—I cannot tell.

536. Did you write an article to the effect that these gentlemen were not members of the committee, that many names had been used which Mr. M'Cann was not entitled to?—It occurs to me that there was something of the kind, alluding to a few of the names on that list who I have been given to understand declared they never authorised their names to go into that list.

537. And you commented upon that?—We merely stated it for what it was worth.

538. Were you out on Thursday the day before the polling?—I was out every day.

539. Did you get hurt at all?—No.

540. Nobody touched you?—No, they did not.

541. You are the editor of the Conservative paper?—I am the proprietor, I am not the editor.

542. *Committee.*] You voted at this election for Mr. Brodigan?—Yes.

543. There were only 13 others who did vote for Mr. Brodigan?—Yes.

544. Did you find any difficulty in going to the poll?—I did not.

545. No difficulty at all?—No, I went early in the morning about 10 o'clock.

546. And found no difficulty?—None.

547. Do you know at what time the others voted?—I do not.

548. Do you know whether they found any difficulty?—I had not an opportunity of seeing, but I did not hear of any.

549. You did not hear of any difficulty to any body voting?—I did not hear of any obstruction.

550. Not in voting?—I did not.

551. As far as you know people might have gone up and voted for Mr. Brodigan as many as chose?—As far as I know.

552. Any number might have gone up and voted for Mr. Brodigan that day?—As far as I know.

553. For anything you saw on the day of polling you did not see anything to prevent their going up?—There was a general tumult about the booths.

554. But there was a possibility, was there, of their going up and voting for

Mr. *A. M'Dougall.*

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Mr. Brodigan if they had wished?—I found no difficulty in passing through the crowd that day.

555. Did there ever appear in your paper any article upon the riots or the excited state of the town?—I believe there did.

556. Did you write it?—No.

557. You said after the mob had pushed in the door you thought they wanted more money to go away, had you given them any money?—I gave a dozen of them five shillings the night previous, they surrounded me in the street when I was about going into the house, I asked them did they want money from me, and I gave them two half crowns, all the money I had in my purse at the time. I thought it better to give them that than to have a kicking; for I was sure they would have given me a kick, from the rough manner in which they handled me on that occasion.

558. When was this?—On the Tuesday evening.

559. Before the nomination?—I think it was.

560. Were you living at Drogheda at the time of the former election in 1852?—I was.

561. Was there any disturbance then?—I believe, on account of its not being contested, there was no disturbance. I saw, I should say, from 700 to 800 or 900, or so, navvies and other parties, marching in triumphal procession with Mr. M'Cann; he was very popular among the people at that time.

562. Were you present at the election in 1847?—No, I was not.

[The Witness withdrew.

Peter Verdon, Esq., was called in; and having been sworn, was Examined by Mr. *Hodges*, as follows:

P. Verdon, Esq.

563. I BELIEVE you were High Sheriff of the county of the town of Drogheda at the late election?—I was.

564. How long had you filled that office previous to the election?—A very short time.

565. Did you succeed Mr. Brodigan, who was formerly filling that office?—Yes.

566. Do you recollect the state of the town; or, I will ask you this: do you remember when Mr. Moore first came to canvass the borough?—I do.

567. On what day?—I recollect seeing him on Monday.

568. Do you recollect whether you saw him on Saturday?—I think I did; but I recollect Monday, very well.

569. Do you recollect, on the Saturday, Inspector Cory making an application to you for the use of the Town-hall?—I do.

570. What was the application which Inspector Cory made to you on the Saturday?—He applied to me for the use of it as a position for his men during the night.

571. Was it bad weather at that time?—It was.

572. *Committee.*] Are you speaking of the court-house?—Yes.

573. Mr. *Hodges.*] In consequence of that, did you address a letter to the mayor?—I did.

574. That was Mr. Thomas Carty?—Yes.

575. He was inspector of Mr. M'Cann's committee, was he not?—Yes; I believe he was.

576. Did you receive a reply from him in answer to that application?—I have the reply.

577. Did you succeed in getting the use of the town-hall?—No; he refused it.

578. You did not succeed in getting the use of the town-hall at that time?—No.

579. Did you see anything of the state of the town on the Monday and Tuesday?—Yes.

580. What was the state of the town?—On Monday the town was very quiet.

581. Up to what time on Monday?—I did not see it later than the evening; I went out in the town after.

582. On the Tuesday what was the state of the town then?—There was nothing particular that occurred that I know of on the Tuesday.

583. Were

583. Were you out at all?—I was; and people were congregated as they would be at an election. I do not know of my own knowledge.

584. Do you recollect in the course of the Tuesday, an application being made to you by Mr. Mayne for the purpose of getting accommodation to the hall on the following day?—I do.

585-6. He made an application, asking you to grant permission to a certain number of friends of each candidate to go into the hall—by tickets?—He did.

587. Did you speak to Mr. M'Cann's committee to carry that into effect?—I spoke to Mr. M'Cann's agent, and said, such a course had been recommended, and I thought it would be very right; he said he did not see any necessity for it; I then proposed that they should meet me half an hour before the time in the morning, so as to admit a certain number of those interested for each candidate.

588. Was that assented to at the time?—Yes, it was.

589. The next morning was a Wednesday, was it not?—Yes, the morning of the nomination.

590. Did you in pursuance of that arrangement go to the town-hall at half-past nine?—I did.

591. Did you find them there according to the undertaking they had given?—I found the town-hall locked; at least the doors closed.

592. And how long was it before you saw anything of the mayor?—A few minutes before ten o'clock, the hour named in the proclamation for the nomination.

593. Where did you remain then?—I remained at the Tolsey.

594. You were not able to get in?—No.

595. You remained outside?—Yes.

596. Were there a large number of people outside?—They were gathering, and a large number were eventually collected.

597. When did you first see the mayor on that morning?—A few minutes before 10 o'clock.

598. Did he come alone to the town-hall, or was he in company with other persons?—He was in company with others.

599. Who were they?—Mr. M'Cann and others.

600. Were there any clergy among them?—There were.

601. They all came together, did they?—Yes.

602. What did you see the mayor do when he came to the town-hall?—He got up to the door, and had it opened.

603. Did you see whether he had the key?—I do not recollect that I saw the key.

604. But when he went up to the door, the door was opened?—Yes, he had it opened.

605. When the door was opened, did the people get into the town-hall?—A great number.

606. What was their conduct at that time?—They rushed in very impetuously.

607. Could you see in what state they were?—They seemed greatly excited.

608. Did they appear to have been drinking?—Yes; some of them had that appearance.

609. What did you do then?—I got in with a great deal to do myself; I was severely crushed.

610. You say you had a great deal to do; explain more what you mean by that?—The crowd and the pressure were so great that, with a great deal to do, I got in, and was greatly knocked about and abused in getting to the bench.

611. Who were the people who pushed you about in the way you speak of; did you know who they were?—I did; I knew a great many of them.

612. Whose friends were they?—Mr. M'Cann's.

613. Have you been at other elections there?—I have.

614. How many years have you attended elections at Drogheda?—Thirty years, I suppose.

615. Did you ever see anything like the conduct you witnessed there before?—No; I never saw so much excitement.

616. When you obtained entrance to the hall, what part of it did you go to?—I got up to the bench.

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617. Who was first proposed?—Mr. M'Cann was.

618. We have heard he was proposed by the mayor?—He was, and seconded by the Rev. Mr. Hanratty.

619. Were they heard?—They were.

620. Who was the next person proposed?—Mr. Moore, I think.

621. Did anything take place as soon as his proposer attempted to be heard?—They would not hear him.

622. Would they hear him or his seconder?—No.

623. He was proposed by Mr. Jordan, was he?—No; he was seconded by Mr. Jordan.

624. Who was he proposed by?—Mr. St. George Smith.

625. When Mr. Jordan came forward to second him, was anything done to Mr. Jordan?—He was grossly abused.

626. In what way?—They spat upon him, and threw all sorts of nuisance upon him; parties that were so convenient as to be able to do it.

627. Was any other insult offered to him except the spitting?—They pulled him down, and, I think, tore his coat.

628. After that was Mr. Brodigan proposed?—He was.

629. Were his proposer and seconder allowed to be heard at all?—No.

630. Do you recollect whether any application was made to you by any person for protection while this was going on?—Several of those about me were calling upon me for protection.

631. Were you able to protect them?—I was not.

632. How was it you were not able to protect them?—I could not protect them myself.

633. Had you any assistance there?—No, I had not; I had not assistance that would enable me to carry out an order of that kind.

634. Therefore you were unable to give them any assistance whatever?—I was.

635. Was the violence very great?—It was.

636. After you left the court-house did you proceed towards your house?—I proceeded towards my son's house.

637. What was the conduct of the people after you got outside the town-hall?—They were very violent, and greatly excited.

638. Was anything thrown at you while you were going home?—There was.

639. What?—Mud and dirt of some kind or other.

640. Mr. *James.*] You laugh at the recollection of it?—I was not in a very laughing humour at the time; I had feelings very much the reverse of those that would make me laugh.

641. Mr. *Hodges.*] Were you alarmed at all?—I was.

642. Were you struck by these missiles?—I was; and other persons too that were near me.

643. Did you see other persons struck as well as yourself?—I saw Captain Derenzy, a stipendiary magistrate, and Mr. Hammond struck.

644. What with?—Nuisance and dirt.

645. Did you see Mr. Corrie struck too?—Not upon that occasion, at that time, but I did at some short time afterwards see him struck; I saw him struck with a stone.

646. This was on the night of the nomination?—Yes.

647. That same evening was another application made to you for a place of shelter for the police during the night?—There was.

648. Who made that application to you?—The stipendiary magistrate.

649. Was that Captain Derenzy?—Yes; and the two sub-inspectors of the police, sub-inspectors Corrie and Evans; three waited upon me for that purpose.

650. Did they wish to obtain the use of the town-hall for the purpose of protecting the troops during the night?—Yes; it was very wet, and they said they could not be effective if they had not some place of shelter in a central position; that was the application they made.

651. Did you make a further application to the mayor?—I wrote to the mayor stating those facts.

652. Mr. *James.*] Have you got the letter?—I have the letter here.

653. Mr. *Hodges.*] Read it if you please?—I have not got that copy; it could be only a copy of the letter that I should have, but I have not got it; I could state

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state exactly what I wrote; it merely stated that they waited upon me for this purpose, and I requested that he would have it opened for their use; this is the mayor's answer: "April 1st, 1857.—I have just received your note, and refer you to mine of the 29th ultimo, from which I will not deviate. If you inquire from Mr. Cartney, you will find that the Tolsey was not left open at night during contested elections or for any other purpose during the last 30 years."

654. That was the answer you got?—Yes.

655. Not being able to get the use of the town-hall for the police, did you request them to allow them to come to your son's house?—No; I said it would be a very awkward thing; that the town required a large patrol; the people were very riotous, and that they could not be effectual without some place of shelter, and I considered what was to be done; I was very uneasy about it, and it then struck me to offer them the use of my son's house, so I offered Captain Derenzy and the sub-inspectors the use of my son's house for shelter for the constabulary during the night.

656. What was the state of the town during that night?—I was not out, but I heard a great noise and breaking of windows, and all that.

657. Mr. *James.*] What did you see?—I saw the windows in my son's house broken; I was sitting in the drawing-room.

658. Mr. *Hodges.*] Were you there when they were broken?—I was sitting there.

659. About what o'clock was it when they came and broke your son's windows?—I should say about 10 at night, or something like that.

660. What number of windows were broken; more than one or two?—There were; the hall window was broken, and I think two panes in the drawing-room window.

661. Did you see what number of people were outside when this was going on?—I did not.

662. Did you hear any noise out in the street?—I did.

663. What sort of a noise was it?—A great noise; the breaking of windows and smashing houses.

664. Mr. *James.*] Smashing houses?—Yes.

665. Mr. *Hodges.*] Were you alarmed?—So much so, that I gave up the house to the police.

666. How many policemen were there in the house?—I suppose about 60 or 70 came in.

667. You thought that was necessary, did you?—Of course I did.

668. For the purpose of giving them shelter, and preserving the peace of the town?—Yes.

669. Is your son's house near the centre of the town?—Yes; very near the Tolsey, on the opposite side.

670. Did you consider that that was a good place for them?—The situation was as good as the Tolsey itself; the situation was.

671. Did you consider it necessary to telegraph to Dublin to the Castle?—I telegraphed to the Castle on the Wednesday, in consequence of a communication I had from Mr. St. George Smith, and Mr. Richard Smith.

672. Was that on the subject of the then state of the town?—Yes.

673. What induced you to communicate with the Castle about this on the Wednesday?—They waited upon me and informed me that there were large mobs expected into the town, and that there would be great disturbance, and that it would be necessary for me to have a party of military, and all that, prepared to meet anything of the kind.

674. You had military in the town then?—While they were speaking to me, Captain Derenzy walked in, and I mentioned to Captain Derenzy what those two gentlemen waited upon me for, and he heard it from them, and he said in reply to me, "Why, the Dragoons are going off; they are ordered off." "That cannot be," said I. "I am told so," said he. So I then said, "Well, I will telegraph to the Castle to have them retained; and I telegraphed to this effect, to say I understood the troops were ordered off, and that from a communication made to me of the town being likely to be in a riotous state, that I wished the Government either to countermand the order for their removal, or send me down troops in their place; and I had a reply back, saying that the troops were to remain; that those who were in Drogheda were to remain.

675. I need hardly ask you this: did you make that application to the Castle

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in consequence of your apprehension that disturbances of a serious nature would take place?—I have just stated to you why I made it.

676. The ground upon which the mayor refused the use of the town-hall was that it had not been usual to allow it to be used for any such purpose as elections?—That was one of his grounds.

677. Have you ever filled the office of mayor?—I have.

678. Can you say whether it has been usual or not to use the town-hall?—I never knew that it was usual to lock it up, as he locked it up.

679. It was usual to keep it open for the public use?—For all such purposes.

680. Did you go into the town at all on the Thursday?—Yes, I did.

681. What was the state of the town on the Thursday?—There was nothing particular occurred that I am aware of.

682. Mr. Moore had resigned, had he not?—He resigned on Wednesday evening.

683. Was the town comparatively tranquil on the Thursday?—More so than on the Wednesday, I think.

684. Did you see the priests going about canvassing?—I did.

685. On what day was that?—I could not tell you whether they were canvassing or not; they appeared to be doing so; I saw one of them going with Mr. M'Cann's son, and going into houses as if they were canvassing.

686. Did they pass your house, either of the priests?—They did; but I cannot say that I saw them. I was not there at the time; I heard afterwards that they did pass.

687. Are you a Roman Catholic?—I am.

Cross-examined by Mr. *James*.

688. You have been asked the state of the town on the Thursday; what was it on the Friday?—On the Friday I was the whole day from the morning, from the hour the booths were open, sitting in the assessor's booth, as I was bound to do.

689. You were discharging your duty?—Yes.

690. Did you see Mr. Brodigan there; the contest then was between Mr. M'Cann and Mr. Brodigan; did you see him at the poll-booth?—I did not.

691. Did you not see him there, thanking the voters for their votes?—I did not.

692. Did you see Mr. M'Cann there?—I think I saw Mr. M'Cann, but I did not see Mr. Brodigan.

693. Did you see a single voter prevented going to the poll?—No.

694. Was any request made to you by anybody to adjourn the poll?—Certainly not.

695. Did you see any interference with the poll at all?—No.

696. You speak about the mayor?—Is not there some dispute about this Tolsey or court-house?—I never knew it.

697. Is not there an action between the corporation and some person who claims a right to it?—I never heard of it.

698. Did you not know there was a dispute as to the party in whom it is vested?—No; I will tell you all I heard.

699. Do you not know that the corporation tried to prevent the grand jury of the county interfering about the court-house?—No; I will tell you all I do know. The mayor, for the first time that I ever heard of, claimed the control of the court-house, and the grand jury were of opinion that the court-house belonged to the public, because they made presentments for alterations, and all that. I do not know of any action.

700. Is that in dispute?—Not that I know of.

701. The mayor claims it, and prohibits the grand jury having the use of it, do you say?—I do not say that; he kept it locked, and said that he had the control over it as head of the corporation.

702. Right or wrong, he assumed it as head of the corporation?—Yes.

703. The nomination, you say, was riotous?—It was.

704. It was in the court-house?—Yes.

705. About how many people should you say that court-house would hold?—I could not tell; a great number.

706. A thousand people?—I think more.

707. The

707. The M'Cannites (if I may so call them), did they get into the court first? There was a regular rush, you say, into the court; you have seen that, I suppose. Have you ever been at the theatre or Exeter Hall?—There could be little difficulty in it; the rush was all together.

708. The M'Cannites were most numerous?—Yes.

709. Then did they get possession of the hall?—They got into the hall.

710. Were they very quiet till the proposer and seconder began to speak?—No.

711. What did they do?—Calling and abusing everybody they thought opposed to them.

712. A man may tear his own hair, or somebody else; what did they do?—Used abusive language.

713. At first did they do more than use abusive language?—No.

714. Were you ever at the Westminster election when cabbages were in the market?—No.

715. Have you ever seen cabbages and rotten eggs and cabbage stumps, and so on, thrown about?—No.

716. You had nothing of that kind here?—No; I saw an ink bottle thrown at Mr. Brodigan.

717. Did it hit him?—I think it did.

718. Was not that meant for Brodigan's agent, the attorney?—I cannot tell you who it was meant for.

719. Did it hit the honourable candidate, the petitioner?—I believe it did.

720. The ink, or the bottle?—I suppose both.

721. Besides the inkbottle thrown at Mr. Brodigan, did you see anything else thrown at all in this court-house?—No.

722. Was there a gentleman named Jordan; do you know him?—I do, very well.

723. He is a friend of his, is not he?—He is an acquaintance; no friend.

724. Is he a retired tallow-chandler?—He is retired.

725. Is he a retired tallow-chandler?—He was in that trade.

726. Is he very unpopular?—I do not know.

727. Is he unpopular as a landlord; he has a great many small tenements, has he not?—No.

728. Is he an unpopular man in the town?—He is unpopular; he is a very stern man.

729. A stern tallow-chandler?—He is not a tallow-chandler; he is a magistrate; he is a very stern man; stiff in his manners.

730. Is he unpopular; do they call him Miss Kitty?—His name is Christopher.

731. Do the lower people call him Miss Kitty?—For a nickname.

732. He is unpopular, is he not?—He is with the lower orders.

733. When did he propose or second one of the candidates?—He seconded the nomination of Mr. Moore.

734. Is he a Roman Catholic?—He is.

735. Was it not when he began to speak that the row began?—No.

736. Chiefly?—No; it was then that they commenced spitting.

737. When Mr. Jordan or Miss Kitty began to speak, they began spitting?—Yes.

738. Hissing, or spitting?—Both.

739. And they would not listen to this gentleman?—No.

740. They were pulling him down?—Yes.

741. They listened to the proposal, did they not?—They did not.

742. Who proposed him?—Mr. St. George Smith.

743. Did they spit at him?—They would not listen to him either, and I endeavoured to hold him up with a great deal to do, so that he could be heard; I held him up.

744. Have you ever been in the House of Commons or assemblages where they will not listen to a person when he gets up?—Yes.

745. Have you been at large meetings where they begin to hoot when a gentleman makes his appearance?—Not in the same violent manner.

746. Did they do anything to Jordan?—They did.

747. What?—Pulled him down.

748. Who?—Persons on the hustings.

 749. What

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749. What became of Jordan; did he speak, because his speech is in the newspaper?—He could not speak; he attempted to be heard.

750. He sent to the paper the speech he would have spoken, because it is in the paper?—I do not know how that is.

751. You say it got quieter; you observed nothing particular on the Thursday?—I could not see anything like the same, for there was not the same reason; the people were not brought together for the same purpose.

752. What night was it that your son's windows were broken?—On the Wednesday night.

753. What time did you go out on the Thursday?—I suppose I was out after breakfast; I was not much out.

754. Were you in the town on Thursday?—I was.

755. Did you see the soldiers?—I did.

756. Where were they?—I am not certain I saw the soldiers; I think I saw them in the street; I am not sure.

757. Did you see Mr. Derenzy on the Thursday?—Yes.

757*. He was there as a stipendiary magistrate to discharge his duty?—Yes.

758. Did you see the soldiers, or not?—I do not recollect.

759. On the Friday?—I was very little out on the Friday; I was in the assessor's booth, but I saw crowds in the streets.

760. Have you ever been much at Irish elections?—For the last 30 years I was at every contest in Drogheda, and took some part in it.

761. Have you ever had a Conservative candidate for the last 30 years in Drogheda?—Yes.

762. Returned, I mean?—Oh, yes.

763. Who?—I think Mr. North was returned at one time; that is nearly 30 years ago.

764. For the last 20 years?—No; I was not present at that election.

765. Since the Reform Bill, have you ever had a Conservative member for Drogheda?—No; Sir William Somerville was returned, I think, after that.

766. You say some applications were made to you; was any information on oath laid before you about anticipated riots?—No.

767. There was no information made upon oath to you by anybody as to apprehended danger?—There was not.

768. During the whole election, either for the adjournment of the poll?—I was called on to adjourn the poll.

769. By whom?—By Mr. Mayne, I think, and Mr. Smith, and others,—not to adjourn the poll, to adjourn the nomination.

770. Were you there when Captain Moore's qualification was demanded?—I must have been there.

771. Do you remember it?—I think they did demand it; I am not certain of that; I think they did.

772. Who called upon you to adjourn the nomination?—Mr. Mayne, I think, and Mr. St. George Smith, and others.

773. What answer did you make?—I turned about, and said to Mr. O'Hagan, who was counsel for Mr. M'Cann, "I shall have to adjourn this court; it is awful this state of things;" and he begged me not to do it.

774. Did he say why?—He said, "For God's sake do not do it; let us get through with it."

775. And then the show of hands was taken?—I would have adjourned the court though, but I considered that if I did give an order for an adjournment it could not be effected, and lives might be lost in attempting to clear the court.

776. Suppose, then, you had said you would adjourn, and retired?—I should have had to clear the court; my impression was, if I adjourned the court for two hours, that then I should have cleared out the Tolsey, so as so make arrangements that would enable me to keep the peace when they would assemble again; but then I thought that in endeavouring to do that, some lives would be sacrificed; that was my idea.

777. What time of the nomination was that?—The nomination was at ten o'clock.

778. After the candidates had been proposed and seconded?—During the time.

779. Was

779. Was that after Mr. Jordan had appeared, or not?—About that time.

780. During the time he was speaking?—Yes.

781. Was there a show of hands taken?—Yes, I went through all the forms that are usually gone through on such occasions.

782. Was there any candidate to be nominated who was not nominated?—I am not aware of that; I took the nomination of those who were nominated in the best way I could.

783. And the speaking went on amidst all this noise and confusion?—No; you could not hear anybody speak.

784. But did they go on speaking?—No, they had to stop.

785. Which was first nominated?—Mr. M'Cann.

786. Who next?—Mr. Moore.

787. And who third?—Mr. Brodigan.

788. What became of his proposer and seconder?—They would not listen to them.

789. But they went through the process of speaking, did they not?—They did it in the best way they could.

790. Did Mr. Brodigan speak?—He attempted, but could not.

791. Did Captain Moore attempt to speak?—Yes, but he would not be heard.

792. Have you ever been at an English election?—No.

793. Have you not ever been at an election where the mob have refused to hear a word either of the condidates said, or their proposers or seconders?—No, I never have.

794. Has there been some little misunderstanding between you and Mr. M'Cann?—I do not know. I never considered Mr. M'Cann the proper man to represent Drogheda.

795. Did you vote?—I did not.

796. Who did you vote for at the former election?—I did not vote.

797. There was no contest?—There was a poll taken, but there was no contest.

Re-examined by Mr. *Hodges*.

798. I think you said you yourself had served the office of mayor?—Yes, I did.

799. How many times?—Once.

800. In what year was that?—1852; that was the year Mr. M'Cann was elected first.

801. That was rather a violent election, though there was no polling, was it not?—I should not say it was; there was polling, but no contest; he polled a certain number of votes.

802. You told us that on the morning of the nomination you came down to the town-hall, and you found the door locked?—Yes.

803. Did you not know the mayor had taken the key into his own possession?—I understood so.

804. According to your experience, is that according to the practice of former elections?—I never knew the Tolsey to be closed at that hour in the morning.

805. And did you consider that you, as a returning officer, ought to have had the control of the court-house, so as to have enabled the candidates to have come in without difficulty?—I did; and I wrote to the Castle to that effect, complaining of the mayor's conduct.

806. And was it your desire to carry out the arrangement you had made with Mr. Mayne, that there should be 100 tickets given to each candidate, so that their friends might come in?—It was my desire to make such arrangements, so that all parties could be heard, and that I might preserve the peace.

807. And if the key had not been taken away, was it your intention so to conduct the election?—Most unquestionably, without favour to either party.

808. Was an application for an adjournment made to you during the nomination?—It was.

809. Was the application made to you by more than one person?—It was.

810. Do you remember who made the application?—I think, Mr. Mayne, Mr. St. George Smith, and Mr. Carne; but I am not certain; but some gentlemen near me.

811. Was the violence such as that, in your judgment, it would have justified

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you in adjourning the court, if you thought you could have done it effectually?—Most decidedly.

812. And was your reason for not adjourning that you thought lives might be lost if you attempted it?—Most unquestionably.

813. I understand you to say, that during the Tuesday night and the Wednesday you were not much in the town?—Not in the streets; I was in the town.

814. Were you then at your son's house when the windows were broken?—I was in the drawing-room.

815. Were you much alarmed?—I was, and retired to the back, and got the windows defended as well as I could. The drawing-room looks into the front of the street, and we retired into the drawing-room.

816. Was your son's family in the house at that time?—No, they were in Dublin; but my lady was there at the time, and some others.

817. Were you much terrified?—I was.

818. And the ladies also?—Very much.

819. When did you first hear that Mr. Moore had retired from the contest?—I got a letter from Mr. Mayne stating that Mr. Moore had declined going to the poll.

820. Do you recollect whether you received that letter on the Wednesday night, or on the following morning?—On the Wednesday, and I made it known at once to Mr. M'Cann's agents, so that the excitement might be got down, and that the thing might go off decently.

821. Was that your motive?—That was my motive; I was very anxious about it.

822. Was there some excitement going on, and did you fear violence?—I did.

823. Did you send it the same night?—Mr. Daniel was there, and I brought it in and showed it to him.

824. Did you give as early intelligence that Captain Moore had withdrawn as you could?—The moment I received it.

825. Did you go out the following day, the Thursday?—I dare say I did; I am not very certain; I cannot recollect. I remained in the house all the day, I think; it was not pleasant to go out, and to be abused every step I took.

[The Witness withdrew.

[Adjourned to To-morrow, Eleven o'clock.

Veneris, 31° *die Julii*, 1857.

Richard Smith, Esq., was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

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826. YOU reside at Ansbrook, in the county of Meath?—Yes.

827. Is that near Drogheda?—Five miles from it.

828. I believe you have property at Ansbrook?—Yes.

829. Are you in any profession?—No.

830. Are you a registered voter for Drogheda?—I am.

831. At the last election, did you give your support to Captain Moore?—I did.

832. And were you present at the committee-rooms at Drogheda during the period of his canvass?—I was.

833. Did you canvass with him on Saturday the 28th of March?—I went to two or three persons with him.

834. On that day?—On that day.

835. And did you also canvass with him on the following Monday?—I did; I canvassed for him.

836. According to your experience, what sort of a reception did he meet with?—I was much surprised at the good reception he met with.

837. What parties in the borough did you find disposed to support him?—I found

I found that people who I thought would have gone in opposition to us were anxious to support him.

838. Persons you expected would have gone the other way?—Yes.

839. Were there any of the Roman-catholic voters who were inclined to vote for him?—Yes.

840. Were they persons of influence, or not?—Many.

841. From what you observed in the progress of his canvass, what opinion had you formed as to the result of his election?—I considered it was certain.

842. Do you remember anything occurring on the afternoon or evening of the Monday?—I was absent on the Monday evening, but I heard on the following morning what had occurred.

843. I can only ask you what you yourself observed; were you there on the Tuesday evening?—I was.

844. In what state did you find the town then?—In a most excited state.

845. Will you state to the Committee what you mean by an excited state?—The mob of the town was screeching, and they were more like madmen than anything else.

846. Did you observe any meeting near the committee-room of Mr. M'Cann?—Before the hotel.

847. What time of the day; was that on the Tuesday?—That was on Tuesday night.

848. Were you near enough to hear what was said?—I was.

849. Where were the persons who spoke to the crowd?—They were on the balcony of the hotel; on the second floor.

850. What is the name of the hotel?—The White Horse.

851. Who were the people you saw in the balcony?—The most prominent persons I saw were some priests and young Mr. M'Cann.

852. State, if you please, how many priests you saw there?—I think there were certainly three in the front.

853. Who spoke to the people?—I heard the Rev. Mr. Montague, I think they call him, address them.

854. Did you hear any other priests address them besides him?—No; I thought it better to leave the place.

855. Did you hear what the Rev. Mr. Montague said to the people?—He called on them to support, through thick and thin, Mr. M'Cann; he told them to remember the days when the river that ran through their ancient town was red with the blood of their ancestors; and he asked who did it but those men who were seeking now to sell their town. I did not take it down in writing, but those are the words, as nearly as I can remember.

856. How long did you remain there?—I was there from 10 to 12 minutes.

857. Was the speech generally of the kind you have mentioned?—

Mr. *Phinn* objected to the question.

The question was waived.

858. Was that said more than once?—No; I particularly remarked that; it made the greatest impression on my mind.

859. What sort of effect did this speaking appear to produce?—They screeched and roared, the people did, in the most excited manner after it.

860. What was the reason of your leaving?—I thought, from the state of excitement the people were in, that it was far better for me to get away, for fear they should recognise me in the crowd.

861. What number of people should you suppose were assembled upon that occasion?—I should say, from the body of the people in the street (it is a very wide street), there were more than 4,000 or 5,000 in it.

862. Do you know how long that meeting lasted on Tuesday night?—No.

863. Where did you go after the meeting was over?—I went to Captain Moore's committee-room.

864. In what state were the streets of the town?—Most excited, the people were.

865. Did you see any violence done to any of the houses, or to any persons?—Yes.

866. What did you see yourself?—I saw them assailed with stones; I saw people attacked in the street.

867. In what way were they attacked?—The mob rushed on them, and pushed them;

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them; they first began by pushing, and then calling out and abusing any one coming to our committee-rooms.

868. This violence was committed on those persons who were coming in the direction towards your committee-rooms?—Yes.

869. Did you see any stones thrown?—Yes.

870. Where?—In the street.

871. At persons?—At persons.

872. What sort of stones were these that you saw thrown?—They were stones, some of which were large.

873. Much might depend on the size of them; were they stones likely to do injury?—I saw several stones thrown into the committee-room which were of enormous size; I did not pick them up, but I saw them thrown.

874. Can you speak as to stones having been thrown into the committee-room?—On that night.

875. You were there, were you?—I was there.

876. Were you present on the day of nomination; the following day?—I was.

877. When did you get into the room; into the town-hall?—After the mayor had brought in Mr. M'Cann's party; we were obliged to wait at the door.

878. Were you waiting at the door till the door was opened?—Yes.

879. How long were you waiting?—I will say about ten minutes.

880. What was the state of things outside while you were waiting?—The mob were in a fearfully excited state; they tried to break through the police three or four times, to get at our party.

881. Were the police obliged to get round you to keep you from the violence of the mob?—Yes.

882. Had they fixed bayonets?—They had to fix their bayonets, to the best of my recollection.

883. You say the mob was in a fearful state of excitement?—Yes.

884. By-and-by, we have heard from other witnesses, the door of the town-hall was opened; did you get in with the rush?—I was carried in with the rush.

885. Was it a very violent pressure?—A very violent pressure.

886. Will you shortly state what you saw in the town-hall after the nomination?—I saw everybody who was of Captain Moore's party abused; and, among many others, they spat upon me.

887. Perhaps you will state what occurred to yourself?—They spat on me; and some of them seemed prepared for the occasion; they had the intestines of some animal, and threw it on me as I was coming out.

888. Did you see any attack made on Mr. Mayne?—I did.

889. What sort of an attack was that?—They tried to pull him down from the place on which he was standing, near Captain Moore's party; they pulled him by the coat, and tried to pull him down.

890. Would that attempt have been dangerous to his life if it had succeeded?—No doubt; from the height it was, it might have injured him severely.

891. Was it a violent attack?—Yes.

892. How was he saved?—He was pulled back by some of his party, who caught hold of him.

893. Would the people at all hear the proposer or seconder of Captain Moore?—No.

894. Not a word?—Not a word.

895. Would they hear the proposer or seconder of Mr. Brodigan; would they hear them?—No, not either of them.

896. Were you yourself alarmed by the attack which was made upon you while you were there?—No doubt; every one was alarmed of Captain Moore's party.

897. After you went out of the town-hall, were you able to get home in safety and quiet?—We walked in a body up to the committee-room; we were abused the whole way; mud was thrown on us and we were spat upon.

898. Were any particular expressions used towards you?—Yes.

899. What were they?—"Ye Orange pups," was the chief expression.

900. Were any threats used?—Not more than what I have stated; they abused us by language, and throwing mud and spitting on us.

901. What did you do when you found they were attacking you in this way?—We kept in a body, as powerful as we could.

902. Where did you go?—To Captain Moore's committee-rooms.

903. Were

903. Were you also molested in Peter-street?—I was.

904. When was that?—On the same day; the Wednesday.

905. After the nomination?—Yes.

906. About what time in the day was that?—To the best of my recollection it was about two o'clock.

907. In the afternoon?—Yes.

908. Where were you going then?—I was going up to the committee-room.

909. Will you shortly state what occurred then?—I had accompanied my uncle up part of the street, and I crossed over to a man of the name of Harris, I think, to put a question to him; the mob seeing me, immediately followed, and said they would have my life; that I was an "Orange miscreant;" those were the words they used to me.

910. What did you do then?—I went into the house of Mr. Harris; he was a painter and glazier; and he, seeing the violence of the mob, recommended me not to remain in the shop, but to go up the back stairs; the mob then demanded him to give me out to them; his wife was standing at the door with her child, and they told the woman to go back from the door if she did not want her child murdered; immediately on the woman retiring, she had scarcely gone half way back in the shop, the stones came in through the windows.

911. Were the windows all completely smashed by the stones?—Several panes were.

912. Did the people go away from the house, or did they remain there?—They remained there for some time.

913. And what were they doing as long as they remained there?—They were shouting, hooting, and demanding me from the man.

914. Were you subsequently rescued from the house by the police?—I saw a body of the police; this glazier watched; when the police were coming up the crowd retired a little, and I then took the opportunity of going out of the house.

915. Under the protection of the police?—By the protection of the police.

916. I must take you back to Tuesday evening; you are speaking now of the Wednesday; on the Tuesday evening were you present in the committee-room when an attack was made there?—I was.

917. You have told us that windows were broken, and stones were thrown into the room; do you recollect anything of an attempt to break in the door?—Yes; two or three times the mob tried to force the door, and had it not been for a body of men inside they would have done so; the inner pressure was so great that they were prevented; twice it was very nearly burst in, but we succeeded in getting it closed.

918. So that the only damage done there was the destruction of the windows?—Yes, the windows.

919. After the nomination, and after all these things had occurred, did you see Captain Moore and his friends upon the subject of the propriety of his retiring from the contest?—I did.

920. What was your opinion upon that subject, and what did you recommend?—My opinion was that any voter coming up to vote for Captain Moore would have been in danger of his life.

921. Did you express that opinion?—I did.

922. Did you yourself say that you should decline to vote if they went on with the contest?—No.

923. Was the opinion you sincerely entertained that he could not continue the contest with safety to the voters in his interest?—It was.

Cross-examined by Mr. *Phinn*.

924. Have you ever been at a contested election before?—I have.

925. Where?—In Meath, in Louth, in Dublin, and in Drogheda twice.

926. Have you never seen large excited mobs on those occasions?—I have.

927. Have you seen the military present at Meath?—I never saw them called out there.

928. But have you seen them present; you do not answer my question; were they present at the Meath election?—No.

929. None?—They were in barracks.

930. But close by?—In barracks; the barracks I believe are close by.

931. Louth?—In Louth.

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932. Have you seen excited mobs in Louth?—I have.

933. You say you heard the priests say you were going to sell the town; are there a large number of freemen in Drogheda?—I believe there are.

934. Surely you know; you live in the town?—I do not; I live five miles from it.

935. You are a voter?—I am.

936. You know there are a large number of freemen, do you not?—I believe there are.

937. Are there not as many as 120 or 130 out of the 650 electors?—I do not know what the number is.

938. Has it not always been well known that the freemen are very venal?—I do not know; I have nothing to say as regards that.

939. At Drogheda?—No.

940. Is that not so; is it not well known that the freemen are open to a little money?—I do not know it.

941. In the course of your canvass were you never asked for money by the freemen?—Never.

942. Not a hint for something for voting?—Never,

943. You only canvassed three, I think, on the Saturday; how many did you canvass on the Monday?—I cannot exactly say; but I canvassed several.

944. What do you mean by "several;" eight or ten people?—Yes.

945. Were they freemen, or 10 *l.* householders?—Some of them were householders, and some were freemen.

946. How many freemen do you think you canvassed?—I suppose I asked three or four men.

947. And you were fortunate enough not to be asked anything by them?—I never was asked for one shilling.

948. You say somebody talked about the Boyne being "reddened with the blood of their ancestors;" I believe that that is a classical expression in the north of Ireland?—I have never heard it put down as a classical expression.

949. It is frequently used, is it not?—It was the first time I had ever heard it.

950. Have you ever been at any of the Orange processions?—No.

951. Never?—No.

952. Not on the 12th of July?—No.

953. You were out listening to the speeches that were made on the Tuesday evening?—Yes.

954. You are perfectly well known in Drogheda to almost every man, woman, and child in it, are you not?—I am pretty well known.

955. Did anybody touch you?—That night?

956. Yes.—They did.

957. Who?—I was assailed opposite the committee-rooms.

958. Who by?—The mob.

959. How were you assailed?—I was hit twice in the back with stones.

960. How was it that you did not tell my learned friend that?—He did not put the question to me.

961. Where was it; was it when you were standing in front of the committee-rooms?—After the speeches were over, I went out with two or three; seeing a man attacked in the street I rushed out; the man was being beaten.

962. Was that when your windows were attacked?—Yes.

963. But when you were standing in the crowd listening to the speeches, did a single person touch you?—They did not recognise me.

964. Are you not well known to everybody in Drogheda?—There were hundreds there that did not belong to Drogheda.

965. And hundreds there that did?—There were, of course.

966. Did any man, woman, or child put a finger on you?—They did not.

967. How long did you stay there?—It was dusk, so that I think they could not have recognised me.

968. You were down by the committee-rooms, you say, when they tried to break in; did you go out into the street?—After that, when I saw one of the men that was supposed to be a voter attacked, and kicked, and beaten, I rushed out, as any man would do to assist another man.

969. And then there became a fight?—Yes.

970. And stones were thrown?—And stones were thrown.

971. Do

971. Do you know a person named Caffray at all?—No.

972. Did you never know such a person?—No.

973. No?—Caffray?

974. Yes; did you know such a person?—I dare say I did.

975. Did you?—I know several Caffrays.

976. Why did you not answer my question at first; I do not want to go into the particulars; do you not know some people named Caffray, who lived near those committee-rooms?—Not that I know of.

977. Do you not know that those people in the town have reason to complain of your conduct?—I do not; what?

978. Do you not know that you were personally unpopular on account of your conduct to a member of that family?—No, I was not.

979. You do not feel that?—I was not unpopular.

980. You do not think that?—No.

981. You understand to what I allude?—I do know what you allude to; it has no connexion whatever with the election.

982. Do you not know that your conduct to a person of that family made you unpopular with that family?—My conduct was honourable and straightforward.

983. Were you not unpopular on account of your conduct to a member of that family?—I was not.

984. You were called an "Orange miscreant"?—I was.

985. Did you understand that as referring to your conduct to a member of that family?—No.

986. Had there not been some legal proceedings against you in reference to a female of that family?—Some time ago there had.

987. I will not press it further than that?—You may press it as far as you like; I am ready to answer any question you choose to put to me as regards that.

988. Did you understand that the term "miscreant" was applied to you in reference to that?—No.

989. *Committee.*] If the witness desires to make any statement in explanation, he is at liberty to do so?—If there is any imputation on my character I am ready to answer it now, but, thank God, it is free.

990. You are dealing with a committee of gentlemen, and if you like to make any statement, we are ready to receive it. Reference has been made to a matter of which we know nothing, and do not wish to know anything; but if you, on your own account, wish to make any statement, you may do so?—The fact is, that there are very few young men who have not at some time had a misfortune with regard to some woman; this matter has no reference whatever to the election, but it is brought forward for the purpose of injuring my character. The thing was arranged a long while ago legally. It is sought here to introduce it as a matter connected with the election; but the two things have no connexion whatever.

991. The learned counsel desires, as is usual, to make the best he can of his case. The Committee do not desire it, but if there is anything that you wish to state, for your own satisfaction, they will be happy to hear it?—If he alludes to this matter for the purpose of making an imputation upon my character, I am quite ready to explain it; but it had nothing whatever to do with the election.

992. Mr. *Phinn.*] I do not allude to it for that purpose at all; my only object is, to show that the feeling which was manifested was directed against you personally. Now, you saw this row at the nomination?—Yes.

993. You describe the seconder of Captain Moore as having been pulled back by his friends?—His agent, not his seconder; it was his agent that was pulled back.

994. Was there not a great storm when the seconder rose; a much greater storm than when the proposer did?—A great storm.

995. He was much more assailed than the proposer, was he not?—He was abused in a scandalous manner.

996. You would not say that of the proposer; not so much?—Not so much.

997. Were you in the town on the Thursday?—No.

998. On Wednesday you were; on the Thursday were you?—No.

999. On the Friday were you?—No, I was not.

1000. Did you vote?—No.

1001. Then you did not come into town after the Wednesday evening?—No.

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1002. You know nothing that occurred after the Wednesday evening?—No.

1003. On the Wednesday evening was there any discussion, when you recommended Captain Moore to retire, as to a petition; was it then contemplated?—My uncle, who was chairman of the committee, said he thought the most advisable thing was to retire, for that otherwise blood would be spilt; and every one agreed, that unless we had additional force to accompany the voters up, or, as I proposed myself, a hundred young fellows armed with revolvers, to have gone out and marched the men in, we could not have carried the election.

1004. On the Wednesday evening was there any discussion, when you recommended Captain Moore to retire, as to a petition; was it then contemplated?—On the Wednesday evening it was all over about four or five o'clock.

1005. Had the advice been given as early as four or five o'clock?—It had been; it was five o'clock or so.

1006. At that time when the decision as to the propriety of Mr. Moore's retiring was come to, was anything said about a petition?—Yes, I believe there was.

1007. Who by?—I cannot positively say.

1008. Was it Mr. Mayne?—I cannot positively say.

1009. You know Mr. Mayne?—I do.

1010. Do you not recollect Mr. Mayne proposing that there should be a petition?—I did not hear it.

1011. Was it mentioned in your presence?—Not that I am aware of. I did not hear it.

1012. You seem to have a recollection of something of the kind having occurred?—I heard it. In consequence of the conduct that was pursued, and the impossibility of bringing up the voters, I heard it mentioned afterwards.

1013. But did you hear it on the Wednesday?—No, I did not.

Re-examined by Mr. *Hodges*.

1014. You have been asked with respect to the expression made use of by the priest about the river Boyne "running red with the blood of their forefathers;" you say that was not a topic you had heard used before; it was new to you?—It was rather novel.

1015. In your opinion, was that a topic likely to exasperate the large concourse of people to whom it was addressed?—The people became most exasperated at it.

1016. Did they seem more exasperated after it than before?—They did.

1017. And were you struck by the expression at the time; was it a thing that attracted your attention?—So much so, that it impressed my mind more than any other part of the speech.

1018. And were there other statements made which you do not recollect equally calculated to exasperate the people?—The whole of the speeches were most inflammatory.

1019. You do not profess to state all that you heard the priests say upon that occasion?—I could not.

1020. A question was put to you, whether the proposer of Captain Moore was better received than the seconder; the proposer, I believe, was your uncle? Yes.

1021. He is a Protestant?—Yes.

1022. Is the gentleman who seconded Captain Moore a Protestant or a Roman-catholic?—A Roman-catholic.

1023. And did the enmity of the people seem to be directed very much against the Roman-catholic gentlemen who supported Captain Moore?—Yes.

1024. That was obvious, was it?—Quite obvious.

1025. Were there other Roman-catholics, who supported Captain Moore, present at the nomination besides Mr. Jordan?—Yes; very influential men, I think.

1026. Do you recollect the names of any of them?—I do not immediately recollect their names.

1027. Mr. Hammond; was he one?—I do not think he arrived in time for the nomination; I think he was not there at the nomination.

1028. I understand you to say, that during the discussion as to the propriety of Captain Moore retiring, there was nothing said about a petition?—No.

1029. But

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1029. But after the election had passed by you might have heard something said about a petition?—Yes; on the ground of intimidation.

1030. Was that some time after the election?—Yes.

1031. As far as you know, Mr. Moore did not retire from the contest with a view of founding a petition upon the conduct pursued at that time?—No.

1032. The only cause you heard was the one you yourself have spoken to, the state of the town?—That we should not have been able to bring up the voters.

1033. You have used the words "bring up the voters;" were there not a considerable number of voters who lived out of the town?—Yes.

1034. About how far off did some of those voters live?—I believe some of them lived two or three miles off.

1035. You yourself suggested that 100 young fellows should have revolvers; was that with a view of bringing up those voters?—Yes, otherwise they would have been molested or taken from us.

1036. That was your conscientious opinion at the time, and it is still the same?—It is still the same.

Examined by the *Committee.*

1037. How are the streets of Drogheda paved?—They are macadamised.

1038. And the stones that were thrown were, I suppose, the stones that were lying about the streets?—Yes.

1039. You said that your uncle, who proposed Captain Moore, was tolerably well received?—No; but he was received far better than the seconder.

1040. Your uncle being a Protestant, and the seconder a Roman-catholic?—It was in consequence of my uncle being a most influential man in Drogheda; they had some respect for him.

1041. He was comparatively well received?—Yes, comparatively; but at the same time they would not listen to him.

[The Witness withdrew.

Edward Smyth Cory, Esq., was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

E. S. Cory, Esq.

1042. ARE you Sub-inspector of Constabulary at Drogheda?—I am.

1043. Have you been resident at Drogheda for some years?—About five years.

1044. Have you filled that office all that time?—I have.

1045. I believe before you became sub-inspector you practised at the bar?—I did; I was called to the bar and went a circuit.

1046. What force had you under your control in the town at the time of the election?—I had about 165 men.

1047. For the town of Drogheda?—No; they were brought in auxiliary for the occasion of the election.

1048. *Committee.*] Were you the superior officer?—I was the constabulary officer in command.

1049. Who was your superior?—The high sheriff, and the stipendiary magistrate.

1050. Have you a superior officer in the county, or anywhere?—I have.

1051. What is he called?—The county inspector in the county, and inspector-general in Dublin.

1052. Mr. *Hodges.*] Do you recollect the late election?—I do.

1053. You were stationed at the town at that time, were you?—I was.

1054. How were matters up to the Saturday before the election?—The town was perfectly quiet; in its usual state.

1055. When was it that you observed a change in the quietness of the town?—On Monday evening there was some excitement.

1056. How was it on Tuesday?—On Tuesday evening the town was in a great state of excitement, a very great state of excitement.

1057. Were there any mobs collected on the Tuesday evening?—There were.

1058. Where?—In a street called Peter-street.

1059. Is that near Captain Moore's committee-room?—Captain Moore's committee-room was in that street.

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1060. Were you in the town during that evening?—I was on duty.

1061. Was your attention attracted to anything that occurred at the White Horse?—There was a very large number of persons there assembled in the street.

1062. Did you see any persons there speaking to the people?—I did.

1063. Who were they?—There were a number of persons.

1064. Where did they stand?—On the balcony in front of the hotel.

1065. Were there any priests there?—There were.

1066. How many did you see there?—I could not say.

1067. More than one?—Yes.

1068. Did you see Father Montague there?—Yes.

1069. Did you hear anything he said to the people?—I did.

1070. What did you hear him say?—That if they voted for Mr. M'Cann they were voting for their religion and their clergy, and that if they voted against him they were voting against God.

1071. What effect did that appear to have upon the people?—I do not know. The town was greatly excited.

1072. Was that meeting excited?—They were excited to a certain extent at that time.

1073. How long did you hear them speaking to the people?—Only a few moments; I did not delay at all; I was merely passing by on patrol. I delayed there for a few moments, and passed on.

1074. How did the town remain after that; where did you go after you had passed that meeting?—I went to my barracks.

1075. What for?—To relieve the patrol.

1076. Did you come back into the town after that?—While there, I was sent for.

1077. On what occasion were you sent for?—I cannot say who sent for me; but there was a message came, and the message was that they were racking Mr. Kelly's house, which was Captain Moore's committee-room.

1078. Did you go there?—I sent for the stipendiary magistrate, and went off at once, and sent a message to him that I had been called in, and requested his attendance.

1079. Who was the stipendiary magistrate?—Mr. Derenzy.

1080. Would he have the control of your force?—Yes; he had charge of it.

1081. Where did you go?—To Peter-street, where I was told there was a row.

1082. Did you find whether they had attacked the house?—Yes; there was a great riot going on in the street when we came up.

1083. Had you some policemen with you?—I had fifty men.

1084. In what state did you find the house?—The windows were smashed, and there appeared to be stones throwing.

1085. Did you see any person assaulted in the street?—I did.

1086. How many?—Several persons I did not know.

1087. What sort of assaults were they?—Stones thrown and blows struck with sticks. I saw Mr. Richard Smith, of Ansbrook, struck with stones and with a stick.

1088. Did you see where he went for refuge?—I came up to his assistance when I saw him.

1089. In whose house did you find him?—He took refuge in a painter's house, I think, on the opposite side; I think a man named Harrison.

1090. Were there any people opposite the house in which he had taken refuge when you came up to it?—The street was crowded.

1091. Were they near the house where he had taken refuge?—And all round it.

1092. Did you see whether any of the painter's windows had been broken?—I cannot say; I had not time to look after that.

1093. Did you take him away from the house under the protection of your men?—He went across the street directly opposite to the house he had come out of.

1094. Did you yourself receive any injury?—I did.

1095. What occurred to yourself?—I received several blows with stones; I was cut in the head.

1096. Were

1096. Were you knocked down?—I was.

1097. Were you injured?—I was not seriously injured, but I was hurt for the time.

1098. Did you get a blow on your head which caused any mark?—I did.

1099. Was your head cut?—It was.

1100. How many blows do you think you yourself received in the course of the evening?—I could not say. I received so many, I could not tell you how many there were.

1101. I only wish the Committee to know the sort of injury you received?—I received constant attacks from stones, and mud and dirt, and my men also; stones were thrown at all the men under my charge.

1102. Was the conduct of the mob very violent?—It was.

1103. Were any of your men injured?—There was one man who was knocked down. I cannot say in what way. It was by a rush of the crowd, I believe, and he received a concussion of the brain.

1104. Has he ever recovered from it?—No.

1105. Did you at one time get separated from your men?—I did.

1106. What happened to you then?—I was jostled, and knocked down in the crowd.

1107. Where did you take refuge; where did you go?—In an hotel.

1108. Was that at the White Horse?—It was.

1109. After you got into the White Horse, were you able to join your men again?—I was.

1110. How did you succeed in doing that?—The Reverend Mr. Hanratty brought me through the crowd.

1111. And when he was with you did the crowd cease to molest you?—They did.

1112. Do you think you could have gone through the crowd without his protection?—No.

1113. What do you think would have happened to you?—

Mr. *Phinn* objected to the question.

The *Committee* decided against the objection.

1114. What do you think would have happened to you?—I should not like to have tried it.

1115. Do you think you should have put your life in some danger?—I would have been in danger.

1116. Were you present at the nomination?—I was in the town, but I was not in the Court-house.

1117. Can you state of your own knowledge, whether several houses were attacked in the course of Tuesday?—

Mr. *Phinn* objected to the question.

The *Committee* decided against the objection.

1118. Do you know as a matter of fact, whether any other party was injured in the course of that night besides the White Horse and the Painters?—I am not aware of the White Horse being injured; Kelly's house was smashed, and I saw other houses and windows smashed. I saw Bagnall's house broken on the day afterwards, but not on that night.

1119. You saw next day that several houses had been damaged?—Yes.

1120. Did you see Mr. Jordan's house?—I did.

1121. And about how many besides that?—I saw two places of worship, and the school-house.

1122. Were those two of the Protestant places of worship?—One was St. Mark's Church, a free church, and the other a Presbyterian house, and a school-house, and Mr. Jordan's house, and a good many which I cannot call to mind at this moment. I would not swear how many, but there were a great many houses with windows smashed.

1123. *Committee.*] You did not see the damage in the course of its being done; did you?—I saw some of them.

1124. What was the kind of damage done?—Stones dashed in at the windows; we endeavoured to prevent it, but the crowd was so dense that loss of life would have ensued if we had resorted to extreme measures.

 1125. Did

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1125. Did you see the windows broken the following day?—Yes, particularly Mr. Jordan's house.

1126. Mr. *Hodges.*] I omitted to ask whether you saw anything happen to Mr. Derenzy in the course of that evening?—Not that evening; I did not.

1127. When did you see anything occur to him?—On Thursday evening, the 2d of April.

1128. What was it that you saw?—My attention was called by some one shouting out "they are murdering the stipendiary magistrate;" I ran forward, and I lost sight of him. He was partly on the ground; indeed he was on his knees, and on his side, and I ran forward, and being in uniform, I had some influence over the crowd, and was able to rescue him.

1129. Did you draw your sword?—I did, and used it too.

1130. And succeeded in rescuing him?—Yes.

1131. *Committee.*] Mr. Derenzy is a stipendiary magistrate, and a stranger to the place?—Yes; he is a stranger in the county of Meath, in which Drogheda is situate.

1132. Therefore the mob at Drogheda were not acquainted with him personally?—He comes there occasionally, once a fortnight, to attend the sessions.

1133. Was he in uniform?—No; they do not wear uniform.

1134. Where was this?—It was in a street called West-street.

1135. What time in the day was it?—It was about five o'clock in the evening. I cannot say exactly to the hour, but I think it was about five.

1136. Mr. *Hodges.*] I think you told me just now you were in the Court on the day of the nomination?—No; I was not in the Court.

1137. Outside?—Outside.

1138. Did you see the parties leave the Town-hall after the nomination?—I did; some of them, not all.

1139. Did you see whether anything happened to Captain Moore's friends on their way home. Did you see Mr. Jordan come out?—I did.

1140. Did anything happen to him?—I saw him struck.

1141. What was he struck with?—A fellow struck him with a stick. I saw him struck with stones and mud, and a stick was drawn across him, but whether it struck him or not I cannot say. I do not say he was struck with a stick, but it was drawn across him.

1142. Was the conduct of the people violent towards him as he was going home?—Very violent.

1143. In your judgment, if Captain Moore had gone on with the election, do you think he would have done it with safety to the lives of his voters?—I do not think he could.

Cross-examined by Mr. *Phinn.*

1144. That was a matter for Captain Derenzy to judge?—It is a matter of opinion.

1145. If I understand you, your fear was this. You had 165 police?—Yes.

1146. A troop of cavalry?—Yes.

1147. And if more had been wanted there was plenty of time to telegraph to Dublin for them?—And there was a company of infantry.

1148. Where were they?—Quartered in Millmount Barracks, where I have quarters.

1149. Who was in command of them?—Major M'Donnell.

1150. That would give you a force of 300 or 400 men altogether?—No.

1151. One hundred and sixty-five police, a troop of Lancers; about 80 men, I suppose?—No; I do not know that.

1152. And a company of infantry?—I do not know anything of military affairs at all.

1153. Were the infantry ever called out?—They were.

1154. When?—They were out on two or three occasions.

1155. Which days?—They were out on Thursday and on Friday. Thursday was the 2d of April, and Friday the 3d, the day of polling.

1156. Were they called out on Tuesday or Wednesday?—I cannot say from recollection whether they were out on Wednesday or not; they were not on Tuesday.

1157. Did

1157. Did you address any requisition to Captain Derenzy to call out the infantry either on Tuesday or Wednesday?—I did; on Thursday I suggested it.

1158. But be good enough to confine your attention to my question; on Tuesday or Wednesday, did you?—I do not think I did; I cannot exactly call to my recollection; I did on Thursday.

1159. That was on the apprehension, I suppose, with reference to the poll on Friday?—No; there was a very serious riot going on.

1160. On Thursday?—Yes.

1161. What time on Thursday?—Previous to Mr. Derenzy being assaulted.

1162. What time in the day?—About four o'clock.

1163. Were the Lancers there then?—Yes.

1164. Were they near the place where Mr. Derenzy was assaulted?—He had them within call, but not exactly within view.

1165. Were they called on to act?—They were brought down, but they did not charge.

1166. Did the infantry do more than clear the streets?—No.

1167. Did they ever fix their bayonets?—No; the police were obliged to do so, and they were found sufficient at the time.

1168. Did the infantry clear the streets?—They were there, drawn up to assist the civil power.

1169. But did they clear the streets?—No, it was done by the constabulary military; they were drawn across, ready to assist in case of the civil power failing.

1170. *Committee.*] Did the cavalry clear the streets?—No; they were there, but the police did all the duty.

1171. Have you mounted police?—We have merely orderlies; two mounted orderlies attached to me.

1172. Mr. *Phinn.*] May I take the liberty of asking whether we may claim you as a countryman, or whether you are an Irishman?—I am an Irishman, and I am proud to say so too; I have lived a good deal in England, but I am an Irishman.

1173. Have you been present often at Irish elections?—I have seen some.

1174. Have you seen the troops frequently used to escort the voters to the poll?—On one occasion, I did.

1175. Where is that?—At Ballymore, county of Leitrim.

1176. *Committee.*] How long ago was that?—I think it was in 1852; I am not quite certain; I do not mean to say it with certainty.

1177. Mr. *Phinn.*] Did you act upon that occasion?—I was on temporary duty, drafted from one county to another.

1178. I think you have told us, as to the Monday night, that there was nothing very remarkable, though the town was excited?—Yes.

1179. Were there speeches delivered that night?—I was told there were, but I did not hear any.

1180. On the Tuesday the excitement was greater?—Yes.

1181. Was not that excitement very much directed against those Roman-catholics who had gone over to the other party; was not that apparently the strong feeling?—It was in a measure directed against them.

1182. When these gentlemen were coming from the Court-house on the day of the nomination, were not the cries and attacks of the mob, and the hooting and hallooing, and so on, directed very much against those gentlemen of the Roman-catholic persuasion who were with Captain Moore?—It is rather a difficult thing for me to answer; I think it was as much against one supporter of Mr. Moore as another.

1183. We have heard of Mr. Christopher Jordan?—He was very obnoxious to the people; I have no hesitation in saying so.

1184. Had he not been very obnoxious to the people before the election?—I never heard of it; as a gentleman and a magistrate he is most popular, as far as I know.

1185. I believe they were waiting outside the Court-house some time were they not, before the Court-house was opened; both parties I mean?—Yes; there was a large crowd collected, but I had so much to do looking after the men under my charge, that I only know the Court-house was shut up, to a certain hour.

1186. Then you know that Captain Moore's friends were waiting outside with the crowd?—I saw them there.

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1187. Did you see them injured?—There were stones thrown and abuse, and we were obliged to draw up with fixed bayonets. I did not distinguish one party from the other, but to preserve the peace I went so far as to order the men to fix their bayonets.

1188. The people were impatient to have the Court-house opened?—The people were calling out to have the Court-house opened; some persons who came down with Captain Moore and his friends, were calling out to get open the Court-house, and it was kept shut.

1189. On the evening on which you say Mr. Hanratty protected you, were you armed?—I had a sword.

1190. Did you draw it?—I did not.

1191. But you did in defence of the magistrate?—I would not draw it in defence of my own life; I think I should have lost it, if I had.

1192. What time were you sent for on the Tuesday evening?—About a quarter past nine; or between that and ten.

1193. Do you know who the message came from?—I do not.

1194. Who brought it to you?—My orderly on duty.

1195. What is his name?—I cannot tell you without referring to my books. I was telling off the patrols for the night, and the orderly came up and said there was a smash at Mr. Kelly's house.

1196. There are police barracks at both ends of the town?—There are.

1197. Were they brought there for the election?—Yes.

1198. Did you make any report to the Government on this subject?—I reported shortly.

1199. Is it not the duty of the head of the police under these circumstances to make a regular report to the Castle?—We always report the proceedings that are going on; I did so.

1200. An official report?—Decidedly.

1201. How does it go?—We report direct to the Inspector-general, at Dublin.

1202. Do you report day by day?—Sometimes our duties are so onerous, and so much of our time is taken up, that we cannot; but our duty is to do it every night.

1203. Did you send up reports night by night to Dublin?—To the best of my recollection, I did not.

1204. Have you referred to that lately?—I looked at one.

1205. Have you got them here?—I have not.

1206. Did you not thank Mr. Montague for his exertions in keeping the peace?—I am not aware that I did.

1207. Just recollect yourself?—I did thank some of the clergy, on the Friday night, for they exerted themselves very much in dispersing the crowd. I think it was Mr. Powderly and Mr. Machen. I do not think I did as to the others. I may have done so. I will not say I did not.

1208. Did you hear the resignation of Mr. Moore announced by himself?—I did not.

1209. Were you there during the Friday, the polling day?—I was there the entire election.

1210. Were there any precautions taken to enable voters to come up on the Friday?—All the body of police were on patrol, and the military were ready to be brought out. They were not brought out till the evening.

1211. Was there any difficulty in the voters going up to the poll on the Friday?—I saw no difficulty.

1212. Were you at the polling-booths occasionally?—I was senior officer in command, and I was mounted, and rode from place to place.

1213. Had you a constable or some one stationed at the polling-booth?—Yes; there were two officers besides myself.

1214. Had you one sufficiently stationed near the polling-booths?—I think there were.

1215. Did you not place your men?—They were told off in different parties, and it was left to the discretion of the officer in charge of the different divisions how they would arrange them. They were told off in divisions of 25 or 30 men each.

1216. I believe, when the stipendiary magistrate comes, he supersedes, does he not, for the time, the ordinary magistrates?—I am not aware of it.

1217. Is not that the practice?—Not to my knowledge.

1218. Are

1218. Are you not placed immediately under his orders?—At the election, I am immediately under the high sheriff. If the high sheriff gave me one order, and the stipendiary another, I should disobey the stipendiary magistrate. I look to the sheriff for orders, and obey no one else.

1219. Is not that the reverse of the usual practice?—I have always done so.

1220. I believe, if there is any great tumult apprehended, that the stipendiary magistrate is specially sent to be on the spot?—Generally; it is our duty to make a requisition to the proper channel, and the Government send down a stipendiary magistrate.

1221. And he is selected generally as a person not acquainted with the locality?—He comes from east to west, as the case may be.

1222. On those occasions do you not generally take your directions from the stipendiary magistrate?—In all cases except elections. I ought to explain, that it has been imputed to me that I have treated the local magistrates with disrespect. My orders are strict; I have a written order from the Government to look exclusively to the high sheriff or his deputy for orders, and I am not bound to obey that deputy unless he produces it in writing. There have been too many imputations thrown out against us in Drogheda.

1223. Did you not, during these days, Monday and Tuesday, go to the hotel where M'Cann and Mr. Brodigan were staying?—I was brought to Mr. M'Cann's hotel by Mr. Derenzy with reference to the question you have just asked me, disobeying the local magistrates.

1224. I believe you went into the hotel and took refreshment there?—I did not. I should be most happy to give you information upon that subject; it is most untrue; I know the source it comes from.

1225. I believe there was a table laid, at which anybody dined?—I am not aware of it.

1226. You did not go to it?—I did not. Those imputations are very unfair.

Examined by the *Committee*.

1227. Do I understand you to say that some imputation was made upon your conduct in disobeying the local magistrate and in obeying the high sheriff?—Yes, the Member for Drogheda, Mr. M'Cann, and Mr. Carty, the mayor for Drogheda, spoke to me on the subject. I gave the orders to the constabulary that they were exclusively to look to the high-sheriff or Mr. Derenzy for orders, as the high-sheriff had informed me that he had deputed Mr. Derenzy, and him alone, to act during the election. I gave those orders to the men, and it gave offence. I was called on to explain it, and brought into Mr. M'Cann's room in Coppoch's Hotel, and I explained, as far as I could, the course I had adopted, and my reasons for so doing.

1228. In fact your orders were distinct?—Yes, and I should have acted wrong if I had acted otherwise.

Re-examined by Mr. *Hodges*.

1229. You told my learned friend that the priests exerted themselves in keeping order; when was that?—On the night after the polling; they exerted themselves very much.

1230. After Mr. M'Cann was returned?—On the night of the 3d of April.

1231. Did they appear to have influence over the people when they interfered?—Yes, they dispersed them.

1232. Easily?—It took some time to disperse the crowd that was there, for it was very immense.

1233. Did you find their assistance more effectual than the assistance of your policemen?—That is a matter of opinion.

1234. I venture to ask your opinion?—Of course I could have cleared the street, but lives would have been lost.

1235. As to the attack made upon the stipendiary magistrate, Mr. Derenzy; you say the Lancers were drawn up in the street?—They were; it was raining at the time, and the infantry had gone into the yard.

1236. Was that at a period at which there was as much excitement as at any other time, or more?—The whole day had been a continuous scene of excitement.

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1237. Were the soldiers under arms all that day?—They were out twice, I think, and were allowed to retire to their barracks for refreshment.

1238. *Committee.*] That was Thursday?—Yes.

1239. Mr. *Hodges.*] You said in answer to one question, that according to your practice, you make reports to Dublin?—I did; there has been a long correspondence ever since the election with reference to the charges made against me for the occupation of the Court-house for the protection of my police.

1240. Did Mr. Mayne make an application to you to produce those reports before the Committee?—He did.

1241. And I believe by the rules of the office they are not given up, are they?—I must refer you to the Attorney-general for Ireland for an answer to that question.

1242. At all events, Mr. Mayne applied to you for them?—He did; but he did not serve me with any subpœna to produce papers; but the Attorney-general will give you an answer to that.

1243. I believe your father was in Parliament, was he not?—No, he was not; some of my ancestors were.

1244. Mr. *Phinn.*] May I ask you when you were asked for those reports?—Several times.

1245. When?—A fortnight ago, and lately; and I was pressed for them, and I refused to give them.

1246. Mr. *Hodges.*] Had you any applications made to you for protection by any of the voters during the election?—Yes.

1247. Is that (*handing a letter to the Witness*) a letter which was handed to you by Mr. Atkinson, one of the magistrates?—Yes, it was in my possession some time.

1248. Will you read it, if you please?—"19, Peter-street, Drogheda. 2d April 1857. Doctor Atkinson. Dear Sir, If there is not more army and police force got into town before to-morrow, I am fully sure murder of the most deadly description will be perpetrated on me and my family of children, Cooney and his family, Rowland Kelly, and others, after the language used by the mayor and priest Hanratty, priest Powderly, Kertland, and others, language that has intimidated almost all the voters in Drogheda, so that our lives and properties will be sacrificed if we dare vote against the priests and their nominee. Dear Sir, can there be anything done to save our lives from the ferocious mob of Drogheda, by getting a sufficient police force for a few days till we can get time to take ourselves and property out of cursed Drogheda. I am, dear and honoured Sir, your most obedient servant, *Joseph Harris.* Edward Atkinson, Esq., West-street, J. P."

1249. Who is that directed to?—Dr. Atkinson, a magistrate of the borough. It was handed to me, and I waited upon Harris and told him if he was in danger to come forward and make an information; and I believe he did.

1250. What is Harris?—I believe he is a publican.

1251. Did any other voters or magistrates apply to you for protection besides?—I am not aware; I had too much to do, and got so much abuse, that my head was bothered with blows and stones.

[The Witness withdrew.

Laurence Russell Clarke was called in; and having been sworn, was Examined by Mr. *Hodges* as follows:

L. R. Clarke.

1252 DO. you reside at Drogheda?—Yes.

1253. What business do you carry on there?—I am the parochial schoolmaster.

1254. How long have you lived there?—And I am an agent and land-surveyor.

1255. That is your occupation?—Yes.

1256. How long have you resided in Drogheda?—About 15 years.

1257. And you are well acquainted with the people there?—Perfectly well; I have a great many houses that I collect rent from, and am perfectly well acquainted with the inhabitants.

1258. You have a general knowledge of the people?—Yes.

1259. You were there during the late election?—Yes.

1260. Did you support Captain Moore?—I did.

1261. Were

1261. Were you an elector?—I am; and a freeman of the town.

1262. Do you remember Captain Moore coming there on the Saturday before the election?—Yes; it was on a Saturday I was introduced to him.

1263. In what state was the town on the Saturday?—Perfectly calm and quiet; there was no excitement whatever.

1264. When did you yourself observe, of your own knowledge, any difference in the condition of the town; how was it on the Monday?—There was no excitement on the Monday, because I accompanied Captain Moore in his canvass, and we got through the town in the most perfect order and tranquillity.

1265. As far as you could judge, was the canvass a successful one?—It was.

1266. Did anything occur on the Tuesday that excited your attention?—Yes.

1267. State what it was, if you please?—The people were very much excited, and groups of parties were here and there making comments on the speeches which were delivered on the Monday night.

1268. Did you hear any of those speeches?—On the Monday night. Yes, I was up, but I did not take particular notice of what was then spoken.

1269. On the Tuesday, did you hear any of the speeches?—I did.

1270. Where were those speeches made; where did the persons who spoke speak from?—From a balcony over the White Horse Hotel.

1271. That was on the Tuesday evening, was it?—Yes.

1272. Was that at the White Horse?—Yes.

1273. The balcony?—Yes; the balcony over the White Horse Hotel door.

1274. Was that Mr. M'Cann's committee-room?—No; that which they called the committee-room I believe was in Sharp-street.

1275. Who were the persons in the balcony; did you know any of them?—Yes.

1276. Who were they?—They were Roman-catholic clergy of Drogheda.

1277. How many of the Roman-catholic clergy were there?—I only heard two, but I am perfectly confident there were four there.

1278. Who were the men you heard there?—Father Hanratty, Father Montague; I was there at the conclusion of the breaking up of the party, and I noticed the other two curates there.

1279. There was a large mob, I believe, there?—Indeed there was; very large.

1280. Several thousands?—I think there may have been about 6,000 people.

1281. Will you state anything you recollect hearing the Rev. Mr. Hanratty say?—He commenced by stating some allusions to St. Peter's Church; he said, "the church of St. Peter's there above, was once St. Peter's church, but now I do not know what to call it; you may think yourselves what name to give it."

1282. Did he say anything about Captain Moore?—Yes.

1283. What?—He stated that the battle of the Boyne was to be fought over again, and the enemies' camp was in Peter-street, "the enemies are well known to you all, and they are rightly named Smiths, for they have an anvil, on which they are forging chains to bind down yourselves and your religion; you all know the charity of Mr. M'Cann; he is the man of God, but Moore is the man of the Devil."

1284. Do you remember his saying anything else?—Yes, he said that they were preparing instruments, crowbars, to break open the nunnery doors, and he said "some fellows" (there was some epithet that he used to qualify "fellows;" I do not know whether it was "profligate," or some other term).

1285. In what way did Mr. Hanratty speak to the people?—In a very excited manner.

1286. Is he a tolerably good orator?—On that occasion he was very boisterous; I have not heard him speak very often, but on that occasion he spoke rather strongly.

1287. He spoke with energy?—Yes.

1288. As if he was in earnest about it?—Indeed he was.

1289. What effect did it have upon the people?—The effect was that really the mob became so infuriated that you could not calculate, or think, or imagine the excitement of the people in the town.

1290. That was the impression it made on your mind?—It was.

1291. Did you remain after hearing this, or go away?—I waited to get two kicks and a thump, and then I ran.

1292. You thought then it was time to go?—Well, I thought it was time to go.

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1293. And you did go?—Yes.

1294. Did you go back again after that?—I did.

1295. About how long was it after that you ventured to return again?—It may be in or about half an hour. I made the best part of my way through the crowd, and then returned as soon as I thought I should not be noticed.

1296. Were the priests still in the balcony?—Yes; when I returned again Father Montague was addressing the mob.

1297. Did you get near enough to hear what Father Montague said?—I did; at the time there was awful excitement in Drogheda, and it would be more than any human being could do to note every word in particular; but I will give you the principal token of what was said; I cannot give it you verbatim, but as nearly as I can I will give it.

1298. This was Father Montague?—Yes.

1299. Was Father Hanratty in the balcony at that time?—I cannot exactly say, but I am sure he was; I may state positively he was; but Father Montague said, "Are we again to have Drogheda overrun with supers?"

1300. Is that a term of reproach?—That is the converts from Popery. I should have stated that Father Hanratty said, "Mark the man that will not vote for M'Cann;" in consequence of that statement many Roman-catholics would have voted against Mr. Moore in consequence of being marked men.

1301. That is only your idea?—I have been speaking to parties who have stated so; some Roman-catholics who were friends of ours would have retracted because of its being stated they would be marked men in their business and their vocation in life, and they might leave Drogheda.

1302. Did they say so to you?—They did.

1303. What do you recollect Father Montague saying?—He stated also, "I will give the women three days' dispensation to bring up their husbands, to compel their husbands to vote for M'Cann; we gave them in marriage, and we have a right to give them that privilege."

1304. How was that received by the multitude?—In a most excited manner.

1305. Were there many women in the crowd?—Indeed there were, and you would hear them praying and offering up ejaculations to protect them from the cruel party that was then in town to invade their religious privileges.

1306. Do you know enough of the usages of the people to know what the three days' dispensation means among them?—Perfectly well.

1307. What is it?—Dispensation means that they are licensed; in other words, have authority given, supreme authority, over their husbands; the dispensation is perfectly well known.

1308. Do you mean to say it means that the husband is to allow the wife to do what she likes?—To have the predominance on that occasion.

1309. Did you hear Father Montague say anything more?—Yes, he referred to the year '98, and said, "Recollect the bloodshed condition that Drogheda was then in."

1310. Anything more that you reccollect?—I think about that time I got a repetition of the former treatment.

1311. And then you went away?—Yes.

1312. Did you leave Father Montague still speaking?—I did; I was obliged to take a very quick retreat.

1313. Of course you cannot recollect all that was said?—No.

1314. Do you remember whether the priests said anything about who they voted for?—Yes, that was Father Hanratty stated that. No, Father Montague said, that the man who would vote against Mr. M'Cann would vote against his God, his religion and his country. He said that in a most exciteable manner; you could have heard him a long way down the street.

1315. You heard him say that, did you?—Yes.

1316. Before the day of the nomination did you see the priests going about the town at all?—I did.

1317. Who were they with?—One of the priests, Father Montague, I think, was with Mr. Chadwich, and the other was with Mr. Gradwell.

1318. What day was it that you saw them going about the town?—On Tuesday and Wednesday.

1319. Were they accompanied by a crowd of people?—They were; there was a crowd after them in every place I went.

1320. And

1320. And did the priests and their companions go into the houses?—They did.

1321. State what you noticed when they went into a house; were they voters' houses?—Yes, I saw them go into some voters' houses. They left the place with a cheer, and others they left with a groan and hoot, as a signal, as I thought, to let people know whether they were succesful or otherwise.

1322. Mr. *Phinn.*] That is your imagination?—I think I am perfectly justified in saying my imagination is true.

1323. Mr. *Hodges.*] However, that is the truth, that when they came out there was a great cheering or groaning?—Yes.

1324. What sort of a groaning was it?—A kind of "Boo" (*imitating it*).

1325. Did you see anything of the proceedings of the mob at Mr. Kelly's house in Peter-street?—I did.

1326. When was that?—Immediately on Tuesday evening, after the speeches on the balcony; I may say I was a truant on that occasion, because I ought to have been in the committee-room, and I repaired there, and after I had been there some time a man came into the room, and said the mob was breaking in. I ran down; the mob had just opened the door, and there were about 20 inside the door, and the rest outside shouting "Pitch into them, pitch into them;" I cannot say whether they burst the door open; then Mr. Smith, of Amsbrook, came, and with great force we got the parties ejected, but not before I received kicks on the shin from parties inside; and after we got them outside they threw stones and smashed the windows; it was really fearful.

1327. Were you alarmed at all?—I was; after that I had to go on a message for the committee, and I was obliged to go backwards and cross an old house; indeed it was not a very solid place to cross, for there were old slates, and there was as much danger there. I was really in dread of my life; I have no hesitation in saying, that had I come out of the committee-rooms by the door at that time, I should have been killed.

1328. So you got over the back of the houses, and escaped that way?—Yes.

1329. *Committee.*] When was that?—It was on Tuesday night.

1330. Mr. *Hodges.*] Were you at the nomination?—I was.

1331. What sort of a scene was there there?—I hope I shall never witness another of a similar kind; it was dreadful the day of the nomination, when Mr. Saint George Smith, Captain Moore, Mr. Jordan, myself, and others, were coming down to the Tolsey. I should have stated, that previous to that, previous to the time of our going down to the Tolsey, I went down Sharp-street, and I was received there with a volley of epithets of a most opprobrious nature, and I saw the whole mob come out of different public-houses in Sharp-street in a very excited manner. Mr. M'Cann came in with his horses (he was in his carriage) decked out with green bows, and they all came after the carriage in a most excited manner; the Tolsey was locked; the high sheriff had not the prerogative on that occasion; he could not get in; the mayor had the key in his pocket; he was determined not to open the door, and that he and his party would be down and get in first; so when the door was opened, Mr. Smith and Captain Moore, and others his supporters, and the mayor and a few others, got inside the ring that was made by the police; a kind of separation was made between the mob and the police. When the mayor and Mr. M'Cann were coming down linked together, they got inside the division that was made by the police, and when they got inside the mob came down in a most dreadful, frightful manner, and attacked the police, and then I saw them fix bayonets; one policeman beside me held up his musket in a cross manner like that (*describing it*) to keep the mob back; and so dreadful was the rush, that one stout coal porter, or big able-bodied man, gave the musket a dash with his hands, and knocked him down by me, and I thought the man was killed; he worked in a kind of fit, and when he thought to rise, he fell again. I lifted him up, and prayed to God to let some party take him away.

1332. Did that party receive a concussion of the brain?—Yes, he is leaving the force in consequence of the injury he sustained then; that is his statement to me. I got up then with Captain Moore's party. A young man called, "M'Cann to the right; let the others go to the left;" that was a signal for me to go to the other side, and we went to the left. There were a great many of M'Cann's party came over among us for the purpose of annoying us, for they knocked us about

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in a fearful manner several times; they thought to throw him down among the crowd.

1333. There was a scene of great violence?—I assure you at the moment the policeman was knocked down, from the fearful and excited state of the mob, I candidly tell you I thought I never would leave the place again; and if I would be half a mile from it, I would take good care not to be there again.

1334. Was there not a scene of great violence in the town-hall?—They were like a lot of demons; it was dreadful; you could not imagine the scene; no imagination could conceive the state of excitement; yelling, shouting, and whistling; it was frightful.

1335. After the day of nomination, did you go out into the town at all?—At the nomination, the manner in which the mob behaved was frightful.

1336. Were you present when any attack was made on Mr. Jordan's house; were you near it at the time?—I dare not go near it.

1337. In the course of the evening, after the day of nomination, did the town continue in a very disturbed state indeed?—Frightful; the most low, degrading manner of blowing their noses, and spitting; it was abominable. Mr. Jordan got himself as if he was in a shower of snow, actually.

1338. Did you go to the committee-room after the day of nomination?—I did.

1339. And did you hear that Captain Moore had determined to retire?—No; when I left, after the nomination, a voter shook his fist in my face, and told me he would trample upon me, and pull the bloody guts out of me, or something of that kind.

1340. Do you think Captain Moore could have taken his voters to the poll without endangering their lives?—I do not think I would be likely to go to the poll if he went on, and I am as warm a supporter as any; and I am perfectly sure his voters would not go to the poll.

Cross-examined by Mr. *Phinn*.

1341. You had been a Roman-catholic once?—Yes.

1342. And have turned Protestant?—Yes.

1343. That made you not very popular with your former religionists?—Yes; I am popular up to the present moment with them.

1344. Because you say you would not like to go to the poll?—I would not.

1345. You have spoken of the speeches; were you ever at a contested election before?—I was.

1346. Where?—Not as an elector, I was not; I have witnessed many elections.

1347. Where?—I witnessed one in Carlow, when Mr. Bryan was there.

1348. When was that?—It may be 17 years ago; I saw another election in Drogheda.

1349. When was that?—In 1847 or 1848.

1350. Did you know these troops were in the town, a company of infantry?—I did.

1351. Were they out at all on the nomination day?—They were.

1352. The infantry?—Yes; they came up in the evening, but not till after the nomination was over.

1353. Did the infantry parade the streets on the Wednesday?—Yes; they came up that evening.

1354. You are certain?—I am confident they came up; I think Captain Moore had resigned at the time they came up.

1355. The infantry?—Yes.

1356. You are sure of that?—Yes; I saw them in a mass, come up the street in a body.

1357. You are quite sure of that?—I am almost sure of it.

1358. Are you quite sure?—The reason why I am so particular about that is, I remarked to another person that I wished these people were here sooner to prevent the outrage, and the dreadful excitement.

1359. They were close by in the barrack, were they not?—They were not; the barracks is fully a quarter of a mile from the Tolsey.

1360. Just at the end of the town, is it not?—It is.

1361. You

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1361. You were at this meeting you say; did you take any notes of what you have repeated to the Commitee?—Yes.

1362. You wrote it down?—Yes; I did.

1363. At the time?—Not at the time; I wrote it down the following day.

1364. I believe there was a good deal of excitement at the time about the Inspection of the Nunneries Bill?—No; there was no excitement at all about it; there are upwards of a hundred houses in Drogheda from which I receive rents, and I am continually among Roman-catholics, and have a good knowledge of what is going on in their minds with regard to religious matters. I cannot speak for what others may think, but as far as I am able to judge myself.

1365. You say he spoke of '98; was it not '88 that he spoke of; the Battle of the Boyne?—No; it was '98.

1366. Are you sure?—Yes; I am pretty sure.

1367. Come, was not it in '91, the Battle of the Boyne?—But the battle of the Boyne and '98 are two different scenes of history.

1368. I do not know that Drogheda was famous for any great scenes in '98, was it?—No; I am not aware of it.

1369. You attend to the registration, do you not, for the Conservatives?—Occasionally; and on that occasion there were 45 majority which were counted up in the Committee in favour of Captain Moore, but owing to the violence of the mob they could not be brought up.

[The Witness withdrew.

William Cope was called in; and, having been sworn, was examined by Mr. *Hodges*, as follows:

W. Cope.

1370. ARE you a corporal in the 17th Lancers?—Yes.

1371. Were you stationed at Drogheda during the election?—Yes, I was.

1372. I believe you marched to Drogheda from Dublin?—Yes.

1373. On the Monday?—No; on the Sunday.

1374. What day did you arrive at Drogheda?—On the Monday.

1375. Were you billeted opposite the White Horse Hotel?—I was.

1376. Were you sitting opposite the hotel on the night of the Monday?—Yes.

1377. In the course of the evening, did a crowd of people come there to hear some speeches?—I saw a crowd; I did not know what they were coming there for at the time they were assembling.

1378. After the people had assembled, did you see whether there were people up in the verandah?—Yes; the verandah was crowded.

1379. Did you notice who were in the balcony?—I did not know them myself, as I was a stranger in Drogheda; but from information that I gained from the landlord where I was billeted, I knew who they were; I could point them out.

1380. Were there some priests there?—Yes.

1381. How many?—Four.

1382. Who was the first person you heard speak; was it a priest or another person?—It was a stranger to me; they told me it was young Mr. M'Cann.

1383. He was not dressed like a priest?—No; far from it.

1384. Did he make a speech?—He did.

1385. After he had spoken, did you hear either of the priests speak?—Yes; after him there was a priest addressed the audience, the Monday evening.

1386. I do not know whether you can tell me what Mr. M'Cann said?—I can tell you a few words; I did not pay particular attention, for it was of no interest to me as I was not a voter.

1387. Did you pay attention to what the priest said?—To all I heard; I did not hear the whole of it.

1388. Do you know who the priest was you heard speak first?—Yes; I did not know him till I inquired from the landlord's son. I said, "Who is that?" Says he, "That is Father Hanratty." Said I, "A Catholic priest?" "Yes," said he. I said, "That is no place for him to be in." So he looked at me with astonishment; "What do you mean?" said he. "He ought to be at home," said I, "not to be exciting the mind of the public and creating a disturbance."

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1389. Will you tell the Committee what you heard the priests say?—There was nothing in what young Mr. M'Cann said; he told them that any one who voted for M'Cann, or rather the first words I recollect was, that they were bound to vote for their priest, their religion, and their country, and any one who voted for Mr. M'Cann voted for their religion and their priest, and for their country and God Almighty; and anybody who voted against "Mac" voted for the bloody Orange faction in '98, when they made the River Boyne run red with the blood of their forefathers.

1390. That was at the Irish Rebellion?—Yes, before I was born; it was before I was born; I did not see it.

1391. How long was the priest speaking to the people?—Half an hour; but the first priest that addressed them, he was full half an hour, I am sure.

1392. What was the rest of the speech?—Turning to his right, and pointing up the street, he said, "There is the place where they hung your forefathers in '98 and shot Pantony, and any one who votes against M'Cann votes for shooting Pantony over again."

1393. Was it Father Hanratty who said this?—Father Hanratty.

1394. What effect did this speech seem to have on the people?—It appeared to me, by what I could see, that the people would do anything the priests desired them. If he only moved his hand, they would move one way or the other.

1395. Did you see any mischief done that Monday night?—No, I did not. There was no mischief to my knowledge on that night.

1396. Were you at your quarters again the following evening; the Tuesday?—I was at my quarters all that day, Monday, from the time I arrived about 12 o'clock on Monday till about half-past nine on Tuesday morning. I went down to meet my troop. I was there previous to the troop, and I returned to my quarters again about two.

1397. Did you hear anything that was said to the people at the first on the Tuesday night?—Everything that was said.

1398. At what time was the first meeting?—In the afternoon.

1399. Were the same priests in the same balcony?—They were.

1400. At the White Horse?—At the White Horse Hotel, in Westgate-street.

1401. Was the meeting on the Tuesday as large or larger than the meeting on the Monday night?—There were very few persons there in the afternoon, but at night the assembly was more large.

1402. How many people should you say?—At night, from seven to ten, I should say from four to five thousand.

1403. Can you tell us anything that was said by the priests to that large meeting?—Yes.

1404. Who spoke?—I cannot exactly say who was the first person that spoke; I was not paying much attention, though I was sitting in the room; but the landlord's son where I was sitting was sitting by the side of me. "Now," says he, "we will have some sport." "Why?" says I. "The priests are going to address the public." "Who is that?" says I. "That is Father Montague," says he. So I listened for a few minutes, and presently he commenced; some one said previous to his delivering the speech (I could not swear exactly who; I did not see the person, but heard the words mentioned) "M'Cann is a man of God and Moore is a man of the Devil;" but who made use of the words I could not say; but that was late in the evening; I think about eight or half-past those words were made use of.

1405. Can you recollect anything either of the priests said?—Yes, that is what one of the priests said. Not that; I beg pardon, I was making a mistake; I could not exactly say, but Father Montague was there on the verandah, and the landlord's son told me it was Father Montague, and I listened to his speeches a few moments. I was not paying great attention, because it did not concern me in the least, as I told you before; but what I heard I am going to tell you. He says, "Your enemies are the old Tory faction of Smiths, and a very proper name for them." Says I, "Vote for Philpott," myself out of the window. He says, "A very proper name for them, as they are forging chains for you as their forefathers did before."

1406. That you recollect?—Yes; or else I could not state it.

1407. Anything else?—Yes, there was a little more.

1408. Go on, if you please; is this Father Montague?—No, Father Hanratty. Then he said something about a certain party living in West-street. "The Orange Catholics,"

Catholics," he says, "you know who I mean; Miss Kitty; he lives in West-street; you know who I mean; Miss Kitty, you know what to do with him." Shortly after that they withdrew from the balcony, and went indoors, and the people disassembled. I suppose it was a quarter past 10 o'clock; they made an attack on Mr. Smith's hotel nearly opposite; they broke all the windows.

1409. When they talked about Miss Kitty, do you recollect what part of the evening it was?—It was between eight and nine.

1410. What effect did these speeches have upon the people?—As soon as Miss Kitty's name was mentioned, there was loud groans. I do not know who Miss Kitty was; it was a unanimous groan.

1411. Do you recollect anything being said about dispensation?—Yes.

1412. You have not told us that?—Did I not? I thought I did.

1413. Tell us who the father was that spoke about that?—Father Hanratty; as far as I was given to understand, that was his name. I did not know his name, nor do not now, but I could point him out, if he was sitting there. He said people was bound to vote for their priest, and for their country; and he knew the women of Drogheda would do so, as he had given them away in marriage, and would give them three days' dispensation.

1414. How was that received?—They seemed to like it very much.

Cross-examined by Mr. *Phinn.*

1415. Did they seem to like the women having the upper hand for a few days?—Yes, very much.

1416. You have been in the Crimea?—Yes.

1417. You were not much frightened with this mob, I suppose?—Not in the least.

1418. Not so bad as the Russians?—No.

1419. Did you stay there through the whole election till the poll was over?—No, I did not.

1420. How long did you stay?—I was there three days.

1421. When did you leave Drogheda?—On Wednesday.

1422. Did the whole troop leave then?—No.

1423. How many; half?—Only two of us.

1424. During the time you were there, you never unsheathed the sword?—No, there was no occasion for that.

1425. Have you been at mobs before; have you ever had to put down a riot?—Yes; I was in Dundalk at the election in 1846, at the election there.

1426. You had more trouble there than you had at Drogheda, a good deal?—Yes; there was no one but attorneys and lawyers there making speeches.

1427. They are not as good speech-makers as the priests?—No.

1428. The priests beat them easy?—Yes.

1429. Whilst this was going on were your men drawn up anywhere; you were at your billet, were you not?—Yes.

1430. What time was the meeting over on the Monday evening?—As near as possible, ten o'clock; it might be a little past ten.

1431. When did it begin?—Shortly after seven.

1432. And it lasted about three hours?—Yes, on the Tuesday evening; there was a meeting first of all in the afternoon.

1433. The priests did not draw then; there was not much of an assemblage?—Yes, a pretty good assemblage, but very few to what there was at night.

1434. There were some speeches made then?—Yes, but very short.

1435. Nothing spicy?—Nothing.

1436. What time in the evening did the meeting begin?—About seven.

1437. And when did it finish?—Ten or half-past.

1438. Did you see anything that the police could not put down with their arms in their hands without calling on you?—Yes; I mean to say this, that had the mob thought proper to have been riotous, the police would have been of no use to them.

1439. They had 165 men armed with carbines and bayonets?—What was that to 5,000?

1440. You think they could not have put them down?—I am sure of that.

1441. But your troop could?—Yes; as soon as they saw us they were frightened.

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1442. How many were you strong?—Forty altogether, including officers.

1443. You think you could have dispersed them?—Yes, just as easy as sitting down to dinner.

1444. There was a company of infantry there; I suppose you do not think they could have put them down?—No; they would like to have had our assistance.

1445. Did you see anything you could not have put down by just backing your horses; I believe that is the way you do it?—No, we always go forward.

1446. And then back?—No, we never back.

1447. You do not do it Life Guard fashion?—No, those are feather-bed soldiers, you must know.

Re-examined by Mr. *Hodges*.

1448. Is Sir William Gordon captain of your troop?—Yes.

1449. Were you acting under Sir William Gordon's orders during the time you were there; was he in command of the troop?—He was, and of course I obeyed his orders; he was my superior officer.

1450. You did not interfere with the mob, because you received no orders to do so?—No.

1451. Did you see any violence going on?—Yes.

1452. Any breaking of windows, or anything of that sort?—Yes.

1453. There was considerable violence?—Yes.

1454. And if you had been called on to act, you would have acted?—Undoubtedly.

1455. And not being called on to act, you stayed where you were?—Yes.

Christopher Jordan, Esq., was called in; and, having been sworn, was Examined by Mr. *Power*, as follows:

C. Jordan, Esq.

1456. ARE you a magistrate at Drogheda?—I am.

1457. Are you also in the commission of the peace for the county of Louth?—I am.

1458. I believe you are a Roman-catholic?—I am.

1459. Were you on the register of voters at Dublin previous to the late election?—I was.

1460. Have you resided at Drogheda for some years?—I have.

1461. And you know the people, I suppose, pretty well?—I do.

1462. Have you for some time been a director of the Dublin and Drogheda Railway Company?—I have; I have been an original proprietor.

1463. Have you been a director ever since the railway was formed?—No; I was director first, and then I retired for awhile; and then I resumed again about four years ago.

1464. You remember the late election at Drogheda, I dare say?—I do very well.

1465. We have heard from other witnesses that there were three candidates, Mr. Moore, Mr. M'Cann, and Mr. Brodigan?—Yes.

1466. Who did you support?—Captain Moore.

1467. I believe you declined to support Mr. M'Cann?—I did.

1468. Had you previous to that election, supported the Liberal party at Drogheda?—Always.

1469. I believe you objected to Mr. M'Cann, in consequence of some votes he gave that you disapproved of?—I did not approve of him at the commencement; I did not vote for him the first time; I did not think him a proper man to represent Drogheda. I did not think him qualified, and I did not approve of his votes afterwards.

1470. You declined to support him?—I did.

1471. And you supported Captain Moore?—Certainly.

1472. When Captain Moore came, did you become a member of his committee?—I did.

1473. You canvassed with him?—I canvassed for him, and gave up a great deal of my time to it.

1474. We have heard that Captain Moore began his canvass on the Saturday?—Yes.

1475. And

1475. And did you accompany him on that canvass?—No.

1476. You canvassed for him on Saturday and Monday?—I did on Saturday and Monday.

1477. Up to that time how was Captain Moore received?—Very well, and those in his interest too.

1478. Do you mean that you were all well received?—We were all well received.

1479. What did you think about his chances of success?—I had not the smallest doubt of his chance of success; not the smallest.

1480. At that time?—At that time I was quite certain of it.

1481. Do you yourself hold considerable property at Drogheda?—My large property is in Louth; but I hold property in Drogheda.

1482. And having lived there so many years, you are tolerably well acquainted with all the people there?—Indeed I am.

1483. And in previous years have you made yourself acquainted with the state of the register?—I have.

1484. You know pretty well how things will go?—I do.

1485. Have you taken a leading part in several elections there?—I have generally assisted in all the elections; that is, I think, in three or four, or more, that have occurred there.

1486. On Tuesday, the 30th of March, did you observe any change take place in the condition of the town?—A very great change.

1487. What sort of change was that?—They became most violent and wicked, the mob did. I speak for myself; I could not appear in the street at all without being abused.

1488. What day was it when you first met with this sort of treatment?—On Tuesday it commenced, and on Tuesday night I was in Mr. Moore's committee-room, when the place was broken in, and all the windows broken.

1489. Before that attack was made upon the committee-room on the Tuesday evening, had you met with anything in the street beyond mere abuse?—Nothing more than mere abuse, and throwing filth and dirt at me as I passed, and calling me names.

1490. You were present, were you not, at Captain Moore's committee-room, at Kelly's house, on the Tuesday evening, when the attack was made upon it?—Yes.

1491. We have heard that the windows were broken?—Yes.

1492. And stones thrown into the room, and an attempt made to break in at the front door?—Yes.

1493. Did that excite alarm?—Very great.

1494. Were the people violent?—Very violent.

1495. Was it prudent to leave the house during the time the people were there?—No person could leave the place; the street was all crowded, and the crowd extended a great way; the lamps were alight, and we could see a little out through the place; and at that time the violence was so great, that I thought it prudent to write to Captain Cory to send assistance.

1496. As a magistrate?—No; I thought at that time I might have written to Captain Cory, but I did not act as a magistrate in consequence of what was said during the election, that magistrates had no power except those who were appointed; therefore I did not act as a magistrate.

1497. While this was going on, you did not leave the house?—No person could; the door could not be attempted to be opened, or anything done.

1498. How long was it before you were able to get away?—I did not leave the house there, perhaps, till two in the morning.

1499. And then the crowd was gone?—The crowd was gone; I should say, however, that although I stopped till two o'clock in the morning, I did not require to go out, for I was attending to the business of the committee.

1500. But you are able to say what the state of the crowd was outside?—Yes.

1501. The nomination took place the following morning; the Wednesday?—Yes.

1502. On your way to the Committee-room that morning did anything happen to you?—Yes; on my way to the Committee-room they threw at me; and as I was returning from the Committee-room they did the same.

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1503. Were you struck with stones?—I cannot say I was struck with large stones, but with small stones I was struck going there, and filth of every kind was thrown at me.

1504. When you were going from the committee-room to the Town-hall, did you meet with the same treatment?—I did.

1505. Were you in company with Captain Moore and Mr. St. George and others?—Yes.

1506. When you arrived at the Court-house could you get in?—No; we expected to get in by appointment at half-past nine, but when we arrived there, the door was closed, and we were kept there till near 10 o'clock, and could not get in, and were abused the whole time we remained there.

1507. We have heard you were protected there by the police?—No; a party got between the police and the door, and those parties were abusing us.

1508. About 10 o'clock the door was opened, and you got into the hall?—Yes.

1509. Will you state shortly, if you please, what occurred to yourself on your getting into the hall; did you see who opened the door?—I did.

1510. Who was that?—Mr. Carty, the mayor.

1511. Where did he get the key of the hall?—That I cannot answer; he had the key and opened the door. Mr. Carty come down with a number of persons who were with him, and opened the door.

1512. Can you say whether he came down with Mr. M'Cann?—I do not recollect; I think Mr. M'Cann was with the party, but I am not certain.

1513. Did you succeed in getting into the hall?—I did; with a great deal of difficulty.

1514. Did you get on the bench?—I did.

1515. The proceedings then commenced?—Yes.

1516. What was the conduct of the people in the hall?—I may as well detail what occurred; I think that will save trouble. Mr. M'Cann was proposed by Mr. Carty, and seconded by the Reverend Mr. Hanratty; and both those gentlemen were allowed to speak, and spoke as they wished. There was no noise. Mr. Smith proposed Mr. Moore, and, of course, he was not allowed to speak. At this time they were going on wickedly; they were very wicked; and Mr. M'Cann did request them to hear Mr. Smith. However, that did not pacify them, but their violence increased, and he could not obtain a hearing; he had then to desist. After that, I wanted to second Mr. Moore. I should have observed, that about the place there were three or four of Mr. M'Cann's party, who were striking me. Three or four of them did that; and when I attempted to get up they dragged me and kicked me, and tore my coat. They covered me over with filth. They would not allow me to speak, and called me all the names they could.

1517. *Committee.*] Were these parties on the hustings with you?—Yes, they were of Mr. M'Cann's party, and some of those parties who were abusing me were on his committee; I knew them all.

1518. You say they struck you, how did they strike you?—One of them struck me with his fist, and kicked me; I was standing behind the bench, and they were kicking me on the legs, and striking me, one of Mr. M'Cann's committee was striking me, and abusing me; I told him to call me all the names he could, but not to abuse me, and I called upon the sheriffs to protect me.

1519. And what did the sheriff do?—He could not do it, he could not move from where he was.

1520. Did the sheriff say so?—I could not hear what he would say; I spoke as loud as I could, but I could not hear what he would say; I think he could not hear me; I could not hear anything he said; when I had forced my way up, my coat was torn, and I was all covered over with filth; they would not allow me to speak, they were throwing at me everything they could. I called upon the sheriff then to adjourn the Court, and I stopped for ten or twenty minutes more, perhaps thirty, I do not exactly know how long it was, for I was so abused that I could not notice the time. I called upon the sheriff, and I said I would stop there till twelve at night, if the court was not adjourned; however, I was prevailed upon not to persist, and then I whispered into the sheriff's ear, that I seconded Mr. Moore; Mr. Brodigan was then proposed by other parties, and they were of course received rather more violently, because they would not be allowed to move at all.

1521. Did you see anything that happened to Mr. Brodigan?—I did, he was a little distance from me; at this time the court had thinned a little, and the sheriff asked me to stop till some of his deputies entered; while I was stopping there, a large ink bottle—a leaden ink bottle that was made fast to one of the places, and that was filled with ink—was taken up, and was thrown at Mr. Brodigan; it hit him on the side of the head, and the ink covered him over entirely.

1522. Was it a heavy bottle?—It was a large heavy leaden ink bottle, and I think if it had come lower and had struck him on his temple, that it would have fractured his skull.

1523. Did you leave the hall in company with Captain Moore's friends?—No, I did not, I stopped with the sheriff, he asked me to do so, and I stopped there for awhile; afterwards, as I was going to Mr. Moore's committee-room, I was abused.

1524. Was anything thrown at you?—Yes, there was filth of every kind thrown at me.

1525. What number of people were pursuing you at that time?—I could not say, the number was very large; the distance from the Tolsey up to Mr. Moore's committee-room, was covered over with persons, the number was very large.

1526. Were those people in a state of excitement then?—The greatest excitement possible.

1527. And they threw things at you?—Yes, and they covered me over with filth, as well outside as inside.

1528. Did you deliberate with Captain Moore's other friends that evening as to the propriety of his discontinuing the contest?—Yes, and the determination was to withdraw, that the committee would recommend Captain Moore to retire.

1529. Upon what grounds?—Upon the grounds of intimidation; upon the grounds that the electors, though we were certain of success, could not be brought to the poll, and that lives might be lost.

1530. Was that your conscientious opinion?—Certainly.

1531. And did other voters express the same opinion?—Captain Moore was called into the committee-room, and the chairman stated to him the opinion we entertained. Captain Moore said he was ready to do whatever we recommended. I should observe, that at that time I was still for going on with the election, though it was very violent, and though lives might be lost, and two members of the committee were of the same opinion; I am convinced, however, that if the election had gone on, it could not have been carried on without bloodshed.

1532. After you left to go to your own house, did anything happen to you?—Yes; after I left the committee-room, about seven o'clock, the chairman had written a letter to say that Captain Moore had retired, and stating the reasons for his retirement, and an address was published stating the cause; after that I went home to my house, and while I was going down the whole way I was abused; the door was opened for me, and as I got to the door, a stick, not a full yard long, but a very thick stick, was thrown at me; I did not see it till it passed over my head and struck the door case; I am certain that if it had struck me it would have fractured my skull; it was a short, thick lump of a stick.

1533. What o'clock was this?—About seven o'clock.

1534. Did you remain at home after that?—Yes.

1535. Your troubles were not over then, I believe?—No; I should say it was between nine and ten, but I could not be positive, I rather think it was between nine and ten.

1536. How far from your house is the White Horse; how long would it take people to come from the White Horse to your house?—It would not take five minutes to come from the White Horse to my place, I should say about that, perhaps five minutes.

1537. Now tell us what occurred?—About half-past nine I was sitting by the drawing-room fire at the table, and I heard a great noise outside, and then stones were thrown in through the windows; the table I was sitting at was broken, and the candlesticks were thrown off the table; that was one rush; when I found the stones coming in, I, of course, got out of the room; when I got out of the room it might have been in five or ten minutes, there was another rush, and the whole of the stones came all at once; it was not a stone now, and then a stone again, but they came in a volley as if they were soldiers; then in about ten minutes another volley would come; that occurred three or

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four times; they demolished the whole front of my house, the panel of the door was knocked in, and the whole of the front of my house was broken where the windows were.

1538. *Committee.*] On what evening was this?—On the Wednesday evening.

1539. Mr. *Hodges.*] You say there were three attacks made?—I think three or four.

1540. Did those attacks appear to you to be made by persons in concert; you say it was not a stone coming now and then, but that they came in volleys?—It appeared so; and I overheard a sort of muttering outside before the volleys came, and then they would stop, and then there would come another volley.

1541. Was the table crushed?—The table was broken.

1542. And were the lights thrown down?—Yes.

1543. And all the windows broken?—Yes.

1544. And the wood-work?—The wood-work of the windows was broken.

1545. I do not show these stones as being some of the stones that were thrown into your house, but were there any as large as these (*showing some stones to the witness of two or three pounds weight*)?—Yes, larger.

1546. Were they thrown with great violence?—Yes, they must have been, for the room in which I was sitting was on the first floor, and where I sat was 22 feet from the front of the window, so that they must have been thrown with great violence for them to have gone that height and then to come 22 feet from the front of the house to where I sat.

1547. You will not take it an affront, I am sure, if I ask you whether the people gave you the name of "Miss Kitty"?—I know they have called me in the streets, publicly, "Miss Kitty."

1548. And do you live in West-street?—Yes, I do; and I should further observe, that last week I was called "Miss Kitty" by a number of persons, and those number of persons are connected with reverend gentlemen in Drogheda. I was coming up the road from a farm I have, and those persons were at Turnif's; there were a number of women at Turnif's, and those number of women commenced abusing me, and calling me names; this person is step-father to one of the curates of the parish, so that either he or his son was over the women at the time; I could not say; but they commenced abusing me.

1549. *Committee.*] You are speaking of a transaction subsequent to the election?—Yes, last week.

Cross-examined by Mr. *Phinn.*

1550. Before the committee decided on Captain Moore retiring from the contest, had you had any communication with Captain M'Donnell, commanding the infantry?—That I do not know.

1551. Had you yourself?—No.

1552. Had the committee?—I am not aware.

1553. Had you had any communication with Sir William Gordon, commanding the cavalry?—No.

1554. Had you had any communication with Mr. Derenzy?—I should say that I had not personally, but Mr. Derenzy, on the night of Tuesday, when the windows were broken, was sent for, and he was asked to take an information; he then came into our committee-room, and he hesitated for a long time to take the information, and I came out to him, and I told him I thought he ought to take it.

1555. Be kind enough to apply yourself to my question, which is this: before the committee decided on Mr. Moore retiring, did you yourself have any communication with Mr. Derenzy on the subject of protecting voters to the poll?—No, I had not.

1556. Did you vote?—No,

1557. Were you there on the polling-day?—No.

1558. Were you in the town on the polling-day?—No.

1559. Not at all?—No.

1560. Where were you?—In Dublin.

1561. When did you leave Drogheda for Dublin?—I left Drogheda on Friday morning; that was on the polling morning.

1562. I think you say that several Roman-catholic gentlemen supported Captain Moore?—No; I do not think I was asked such a question.

1563. Were the principal Roman-catholic gentlemen who supported Mr. Moore,

Moore, Mr. Jordan, Mr. Hammond, and the two Verdons?—They were some of his supporters.

1564. Were they the principal Roman-catholic gentlemen who supported him?—I cannot answer that; they have supported him.

1565. You were on the committee?—Yes; Mr. Verdon was not on the committee.

1566. Were they the principal Roman-catholic gentlemen who supported Captain Moore?—Well, I do not recollect that we had any Catholic gentlemen on the committee but Mr. Hammond and myself.

1567. I am not asking you as to the committee, but whether those were the principal Roman-catholic gentlemen who supported Captain Moore?—I cannot answer such a question, but I can tell you who was on the committee.

1568. I am not asking about the committee; can you tell us any other Roman-catholic gentleman who supported Captain Moore, besides those I have mentioned?—I cannot immediately say.

1569. I believe you had been a little in dispute with the priests, had you not, previously?—None whatever.

1570. Had you not had some question with them about dues?—None whatever; I have always paid my dues, and paid very liberally; I had property in four places, and I paid in four places; now I am only paying in two.

1571. Did you take a part in the election of 1847?—What election was that?

1572. Sir William Somerville's?—I did.

1573. I am afraid you got your windows broken then?—No.

1574. Are you sure?—Did I? I forget that.

1575. Did you not get compensation for it?—No, I did not.

1576. Did you not claim compensation?—Yes; I believe I did get my windows broken; 1847 is a long time ago; I do recollect it now.

1577. You came away, I think you say, from the meeting, not with a body of Captain Moore's friends?—No; I just slipped away; as I wished to slip away, as quietly as I could, in disguise.

1578. I hope you were not at all injured; you were annoyed a great deal, I have no doubt?—There was no attempt made that succeeded, but I might have been greatly injured.

1579. But you were not, in fact?—No.

1580. I believe Captain Moore was quite a stranger, was he not?—Captain Moore was introduced in Drogheda; of course he was a stranger to me, but he had a family connexion in Drogheda.

1581. But personally he was unknown to nine-tenths of the people there?—I believe so.

1582. We are told that Captain Moore has nothing to do with this petition; is that so?—Nothing, that I know of; from beginning to end I do not think he has had anything to do with it.

1583. Are you one of the persons promoting it?—I do not know what you mean by that.

1584. Are you one of the persons subscribing to it?—Yes; I have subscribed to it.

Re-examined by Mr. *Slade*.

1585. I suppose your object in subscribing is to put an end to this system?—Yes.

1586. Whether Roman-catholic or Protestant, it is one which is a disgrace and danger to the town?—Yes, no doubt.

1587. You say you had your windows broken?—Yes.

1588. I do not suppose you subscribe to this petition because your windows were broken?—Certainly not; on the contrary, I say I was not paid half what the windows cost me.

1589. The petition is brought on a different ground?—Quite different.

1590. Is it brought to keep your windows sound the next election?—No; it is to allow me to exercise my right of voting as I wish, and that I shall receive no abuse of any kind, and not only for myself, but that others may have the same privilege; and it is to put down the excitement and the wickedness at Drogheda at the last election, that I have contributed towards the petition.

1591. Even though it affects the ecclesiastics of your own religion?—That I

have nothing to do with. I think if any gentleman travels out of his course he ought, of course, to account for it.

1592. In 1847, you say, your windows were broken?—Yes, they were.

1593. Was that election at all like this?—Not at all like this.

1594. Although the windows were broken?—It was not at all like this; it was not so violent nor so wicked in any one way.

Examined by the *Committee.*

1595. Do I understand you to say that at one time during the nomination you intended to apply to the high sheriff to adjourn the meeting?—I called upon him to do so; the high sheriff was just beside me, and I stopped a good while to do it, and I think if it was in his power to do it he would have done it; but he did not do it; it was not in his power.

1596. Why do you think it was not in his power?—The tolsey was filled with Mr. M'Cann's party; there were very few policemen, and Mr. M'Cann's party were a majority even among our party. Mr. Smith was the mover and proposer, and I was the seconder, of Mr. Moore, and we were hemmed in by Mr. M'Cann's party and could not stir; and they were striking and kicking me; the sheriff was a little distance from me, and I called upon him, and he, of course, could not do it; if he had attempted it, I believe lives would have been lost, because the tolsey was so thronged by Mr. M'Cann's party.

1597. Do you believe the reason why the high sheriff did not comply with your application to adjourn the nomination was that he was afraid of bloodshed following?—I do; and he told me so; it was he who got me up, and he told me so, and requested me to whisper in his ear that I seconded Mr. Moore, and begged me not to persist in it.

1598. Upon former occasions the high sheriff has been the returning officer as on the last; he is by law the returning officer?—Yes.

1599. And was so in 1847?—Yes.

1600. What precautions were used in 1847 by the high sheriff to secure a fair hearing to all the candidates and the parties proposing them?—I do not recollect what it was, but I know what the general practice is in Ireland; but I believe it was so, though I am not certain; the general practice is, that the candidates get a number of tickets for their friends, and those friends get into a particular part of the court, each friend getting up their friends to the place, and each party having permission to speak and do fairly; but instead of that we were not allowed, and got no place, and were hemmed in by Mr. M'Cann's party, and we could not move; we were closed in as if we were pressed.

1601. Was not there an intention to make some such arrangement upon the present occasion?—There was.

1602. When the high sheriff came to the court-house in the morning and found so great a mob, and that this arrangement evidently could not be carried into effect, do you know why, if he insisted on holding the court, he took no pains or precautions to ensure a fair hearing?—I think if he did attempt to do it lives might have been lost, because they would not have left. It was the wickedest place I have ever seen, though I have been in many places.

1603. You do not understand my question; my question is, when you went into the court-house when you found the arrangement as to tickets could not be carried out, and it was evident there was not likely to be a fair hearing, why did the high sheriff go on to hold the court instead of adjourning the whole proceedings?—That I do not know; because you could not get to hear from any one any cause at all; it was all confusion; no matter who it was, you were pressed at once, unless you were a friend of Mr. M'Cann's. If you were known to be opposed to him you were pressed, so that you could not stir at all. I was struck in the court, the sheriff was beside me, and he could not protect me; no one could move; they were pressed in so closely that they could not move at all.

1604. I should like to ask you the time at which you determined to withdraw Captain Moore?—I think between six and seven o'clock.

1605. On which day?—Wednesday evening.

1606. Was any question mooted among you as to a petition before you determined to withdraw Captain Moore?—At that time I do not think we thought of it.

1607. I should like to know?—That I am not certain of; but we were all in confusion,

confusion, and the whole thing was dread of bloodshed. I was for going on, because I was certain of success. I took a great deal of pains. I spent three nights and days going through the list of voters, and I was as certain of success as I am telling you now, if we could bring our voters to the poll. I thought we should have a majority of from 70 to 80; but allowing for everything, we reduced it to 40 or 50. I am, however, certain we would have had that number if we had been allowed to poll. C. Jordan, Esq. 31 July 1857.

1608. When you determined in Mr. Moore's committee to advise that gentleman to retire, was there any proposition of sending to the castle for further military strength?—I do not quite understand the question.

1609. When Mr. Moore's committee resolved to advise Mr. Moore to retire, was there, before you came to that resolution, any talk of sending for further assistance to Dublin?—We were talking of that, but we thought it was impossible. The first view was, that a great number of our electors are at a distance of from three to four miles from Drogheda. Then we thought it was impossible to bring those in, and afterwards if they were in the town they would have, every one of them, to be protected. They would have to be protected from their houses, three or four miles off, and we thought that it was an impossible thing to be done.

[The Witness withdrew.

Mr. *Joseph Harris* was called in, and, having been sworn, was examined by Mr. *Hodges*, as follows:

Mr. *J. Harris.*

1610. DO you live at Drogheda?—Yes.

1611. How long have you resided there?—Nearly eight years; better than six years.

1612. What are you?—A Grocer.

1613. Were you at Drogheda during the late election?—Yes; and at the elections previous to that, in 1852 and 1857.

1614. Were you one of the supporters of Captain Moore at the last election? Yes.

1615. You were an elector?—An elector.

1616. Where did you reside at that time?—In Peter-street.

1617. Do you recollect Captain Moore coming to Drogheda on the Saturday before the election?—I do not know what time he came into Drogheda.

1618. When did you first see him?—I think it was on the Monday or Tuesday, I do not recollect which of the days; he called on me to ask me for my vote.

1619. On Saturday and the early part of Monday, was everything quiet?—No.

1620. When did you first observe a disturbance?—On Monday. Here are some notes I took during the election; I suppose there is no harm in looking at them.

1621. Are they in your own hand-writing?—Yes; I made them during the election.

1622. What made you do that?—I was threatened very severely and very much by several parties.

1623. So you made a note of what occurred?—I made a note of what they said in the presence of other persons.

1624. *Committee.*] During the time of the election?—Yes; there is one of those documents that I wrote on the Monday following; there is nothing here that was not written either during the week of the election or the Monday following.

1625. Mr. *Hodges.*] We shall be able to do without your notes, perhaps; you say you remember some disturbance on the afternoon of Monday?—I do; it is not some disturbance, but a great deal of disturbance; there was a great deal of rioting, and a fearful exhibition of a bad spirit was shown by the mob in general and the inhabitants generally in the town.

1626. That was on the Monday?—Monday, Tuesday, and Wednesday.

1627. We have heard of some meetings at the White Horse. Did you see those meetings?—I was not at any of them. I was afraid of my life and dare not go; at least, I would not have gone for any consideration, either Monday evening or Tuesday evening; therefore, I cannot tell you of any speech made at the hustings. I would not have ventured my life for all Drogheda, especially on

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Tuesday evening, when about 5,000 or 6,000 persons were assembled the whole length of West-street.

1628. You were not at the meetings, and cannot tell us anything about them?—No; I was at the nomination, and that was enough for me.

1629. Was your house molested at all before the day of nomination?—No, on the day of the nomination; the evening of the day of nomination.

1630. Up to the day of nomination, no injury had been done to your premises?—None.

1631. Or to yourself?—There was to myself on the Tuesday evening; several attempts were made to drag me out of my own door; they tore my waistcoat; and I know, if they got me out, there would have been a bad account of me; I think so from the feelings of the people, and the expressions they used towards me and my house, because they thought I was favourable to Captain Moore.

1632. Will you state, if you please, anything that occurred to you on the Tuesday evening. Did you say they threatened to drag you out of your house?—Yes; several persons came up after the yelling and screeching that was about the tolsey.

1633. This was the Tuesday evening?—Yes; a person came in and told me that the meeting was dispersed; it was pretty late, and then they came over yelling and screeching towards the tolsey: and several came up by our place, passing the pig market, and halted at my house in a considerable number; and when I found the roughness of the parties, being principally intoxicated, and seeing they wanted to get me outside (they made several grabs at me) I was not willing to close my door, lest they should think me fearful. However, I took it into mind to close the door fully, and then went inside and barred all the doors.

1634. That was on the Tuesday night?—Yes.

1635. Did they use any expression at that time?—There were certain expressions used then, and in the night they broke my house; they were very bad.

1636. They did no injury to the house that night?—Not on Tuesday night.

1637. Did you go to the nomination the next morning?—I went to the nomination.

1638. There was a great riot and disturbance there?—There was the most fearful excitement I ever beheld after Father Haurathy had made his speech; it was not so bad after the mayor's speech, though it was very irritating, but not so bad as Father Haurathy's.

1639. Do you remember, after the nomination, any statement being made to you by Michael Kelly?—Yes; that was on the day of the polling.

1640. What did he say to you?—Before we leave the day of nomination, I would like to repeat the state my house was left that night; there was scarcely any glass left in my house, and the amount and quantity of stones thrown into the drawing-room, and into my parlour, and into my shop; I have a sample of them here; I have two of them to show you. This (*producing a large stone*) is one which came past my daughter's head, within half a foot of her head.

1641. That was on the Wednesday night?—Yes; they came into the shop at the top window; it was pitched in through the bars and came through the glass. This stone (*producing another large stone*) came into the parlour.

1642. How many stones were thrown at your house?—I think there was about a wheelbarrow full; three or four stone weight of stones; they returned three times in succession to rack my house, and each time calling me an old Orange rascal, and if they had me out they would trample the guts out of me.

1643. What o'clock was this on Wednesday night?—Somewhere about 10 o'clock, as far as my memory serves me; they each time made an attempt to burst my door; they burst by the shoulders of a number of men coming against the door.

1644. Was that on the Wednesday night?—Yes.

1645. And altogether a wheelbarrow full of those stones were thrown into your house?—Yes; the maid and myself carried down two hand-baskets full, and I collected a number of stones from the channel next morning, for fear they would use them, which had been pitched against the house and rebounded back and fell into the channel.

1646. Was there much damage done to your house?—Between 30 and 40 large panes of glass were broken.

1647. You were so much alarmed, I believe, that you laid an information?—I did; I gave a statement of it, I think, to Mr. Brodigan.

1648. And

1648. And you are the gentleman who wrote that letter which has been produced this morning, the letter to Mr. Atkinson?—I did; and I wrote to Captain Cory.

1649. Is that the letter (*showing the Witness the letter before given in evidence*)?—Yes, and I wrote a letter to Captain Cory the same day, and sent it by my son, begging him to send the police, or they would demolish the house altogether; I anticipated it that night.

1650. Do you think the electors could have gone on, and Captain Moore could have brought up his voters, without perilling the lives of those who voted for him?—I think he could not; I think that if he had gone on we would have had plenty of blood spilt and houses demolished, and furniture racked.

Cross-examined by Mr. *Power*.

1651. What are you?—A Grocer and a Vintner.

1652. Does that mean that you are what we call in England a publican?—Yes.

1653. You keep a public-house?—Yes; I have got a great many notes of things the counsel has not asked me about; there is the case of Mr. Mochie who I saw knocked down and nearly killed.

1654. Is there any dancing at your house?—We have in Ireland what we call a holiday when we have music,—St. Patrick's or St. Mary's day, or any day we please.

1655. That is a long way from an answer to my question, I asked you whether you have dancing going on in your house, and you told me in answer to that, that on St. Patrick's day and some others in Ireland you have music; have you dancing at your house?—Yes.

1656. You keep a dancing place there, do you not?—I do.

1657. You keep a public-house, and you have dancing there?—Certainly, and so have scores as well as me; that is the custom in Ireland; it is the custom to have music.

1658. During that election were you not giving drink?—To anybody that paid for it.

1659. Were you not keeping open house?—Unfortunately they did not give me the opportunity, I assure you they did not.

1660. Were you not keeping your house open during the election, and giving drink to the people?—To any person that would come in and pay for drink, or buy drink and give it to others, I gave it while I could keep my house open.

1661. For how many days previous to the election were you keeping your house open and giving drink to those who paid for it, or that others paid you for?—Many days, since ever I got the license.

1662. Were there not scores of people in your house on the Monday?—No, there was not.

1663. Do you mean to say that people did not come to your house drinking on the Monday?—Not scores.

1664. Did they come to your house?—Not more than the usual number, with the exception of a few drunken ruffians of the opposite party who came in to annoy me.

1665. Did you serve them with drink?—None that I could help; I often had to push them out with danger of my life; any drunken man that came in I did my best to put out.

1666. On the Tuesday were the people drinking in your house?—Some.

1667. On the Wednesday were they?—Very little.

1668. On the Thursday?—Very little.

1669. All this time during the election, there were people drinking in your house as usual?—No, not as usual.

1670. Were they drinking in your house?—They were.

1671. When was it that you got those stones?—On the Thursday morning after that the house was broken; those that I have produced are only a sample.

1672. They are the smallest?—No, they are the average size.

1673. Did you make an application before the grand jury for compensation for the damage that was done to your house?—Certainly.

1674. Was there a single person in that house, yourself or your children, or any of those living there injured in any way?—I will tell you how it occurred.

1675. Answer my question; were you yourself, or any of your family, or any

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single person who was drinking in that house personally injured?—Your honor will allow me to say—

1676. No, I will not allow you to say anything unless you will answer my question?—They were not injured by the stones, because they went into every corner of the house they could get into; my maid got my small children and put them behind the doors, that is the reason why they were not hurt; my house is a single house, and whenever there is a door open, if there was no protection, the stones would go through and kill the children in their beds; it is a single house; as soon as the first volley of stones was fired, the mistress and maid and children ran into every nook and corner they could get into; I said "Leave the house to be racked, but mind your lives." I tell you, on my oath, that my children's lives were not worth threepence a piece that night.

1677. Do not go on with a long story, answer my question, yes or no; was there a single person in that house of yours injured; answer that question?—No.

1678. Now we will go to the amount of damage; how much did you claim before the grand jury?—4 *l.*

1679. Did you give evidence as to the damage before them?—I did.

1680. Did not the grand jury, before whom you gave your evidence, reduce your claim to 2*l.* 12*s.* 6*d.*?—They did not.

1681. Will you swear that?—They did not reduce it at all, but I myself had it reduced; I said, I asked for nothing but the glass, as I forgave all the other damage; in order to prevent other parties from claiming too much, I being a cess payer myself, I said I would only claim for the glass; they did not reduce it, I did.

1682. You made a claim of 4 *l.*?—Yes; and I claimed for the amount of glass according to the painter's bill that was handed in to me.

1683. Do I understand you to say that you consented to reduce your claim to 2 *l.* 12 *s.* 6*d.*?—Yes.

1684. And that was the whole amount of the damage done?—To the glass.

1685. The extent of your claim was 4 *l.*?—Yes.

1686. That included everything?—No; that was what we estimated as covering the amount of glass, and when we got the painter's bill it amounted to less.

1687. You claimed 4 *l.* before you got the bill, and after you got the bill you reduced it?—Yes.

1688. *Committee.*] You never meant to claim for anything but the glass?—No, I never did.

1689. Mr. *Power.*] The mayor's speech, you say, was irritating?—Yes, and his conduct was worse, for he run away; and it was too bad for him to leave the house, and leave the other party exposed as they were; I mean to say his speech was bad, and very bad; he had no right to impeach the character of respectable Protestants in the town, and call them "Supers" and "Spoonerites."

1690. Is that all that you mean?—I mean more; he insinuated what was not fair respecting the Protestants, in order to irritate the unfortunate low Roman-catholics against them, as if we were all connected with what they call "superism;" now, there are not three respectable Protestants in Drogheda connected with that at all; that is in the way of opposition to Roman-catholics.

1691. Was your chief grievance that they accused you of being followers of Mr. Spooner?—They accused all Protestants of Drogheda, and put them down as "supers"; that was in the mayor's speech; and Father Hanratty used such words in his speech as that no Roman-catholic could ever dare to vote after he stated that they would endanger their present and eternal interests if they would vote for the "Spoonerites;" and that if they would not vote for Mr. M'Cann, it would be against their religion.

1692. Is that the great thing you accuse the mayor of, because he called you "Spoonerites"?—I think so; I think it was not fair of any chief magistrate to use any language that would irritate any party.

1693. You were at first a supporter of Mr. Brodigan, were you not?—No; in the absence of a gentleman who had to propose Mr. Brodigan, I said I would propose him; he had to go to Dublin on business.

1694. Did you not propose him?—Yes; but if the other gentleman had went on I would have voted for him.

1695. How

1695. How can a man support a candidate more than by proposing him?—I suppose any voter may propose a gentleman, and not vote for him, if he likes.

1696. Did you agree with Mr. Brodigan's opinions; did they represent your opinions?—I certainly think they are the best opinions I met with.

1697. Then you did support him?—Yes; he was the best of the whole three, in my humble opinion.

1698. But you wanted to vote for Mr. Moore?—I would have voted for Mr. Moore; and if I dare, when the day of voting was, after Mr. Moore had retired, to save the lives of the inhabitants, I would have voted for Mr. Brodigan, but I did not dare leave my house.

1699. Did you vote for Mr. Brodigan?—I did not, and I will tell you why; I wrote that note to a magistrate, and I then sent my son with another to Captain Cory. I made an application to tender my affidavit to the stipendiary magistrate, but he refused to come into my house to take it.

1700. *Committee.*] Did you vote at all?—No.

1701. Mr. *Power.*] We have had several witnesses here; do you mean to say that Drogheda, upon the polling-day, was not perfectly free, so that anybody might vote?—I would not have taken the weight of myself in money if I valued my life to go down through the crowd to vote.

1702. Do you know a single person who, upon the polling-day, was in any shape or way molested by a creature?—I saw a man carried by almost dead.

1703. On the polling-day?—Yes, Mr. John Stewart; and all the next day the poor man could not get out of his bed.

1704. Was he drunk?—No; I saw him beaten by Mr. M'Cann's mob, opposite Mr. Kelly's door.

1705. Will you swear that that man was not drunk?—I will not; and no rational man would ask me to swear it; I saw him beaten.

1706. Do you mean to tell the Committee that you saw a single person injured in any way upon that polling-day?—I saw him, for one.

1707. What was it that you saw?—I saw a man knocked down opposite Mr. Moore's rooms, where they left their books on the polling-day, by M'Cann's mob. I do not know how the thing occurred; the man's name was John Stewart, a freeman of the town. I saw him carried off by a number of men, and he was severely bad, and he laid in bed for a time.

1708. *Committee.*] Was he injured in attempting to go up to the poll?—I was not present; but I will tell you what he told me himself, if you like.

1709. Mr. *Power.*] Where was this?—In Peter-street, a little below my own house.

1710. Where was he going?—Home, to his own house.

1711. Was there anybody else hurt?—You may ask me that question, but I do not think it is fair, for I say I did not leave my house for fear of my life.

1712. Do you mean to represent to the Committee that there was uproar and riot going on in Drogheda on the day of the polling?—I mean to say that it was not so fearful and bad as it had been on the days previous.

1713. Were persons obstructed on the polling-day?—Yes; and but for the clergy interfering, the mob would not have dispersed in the evening, and they would have racked every house in the town.

1714. Was there not a person named Duffy who died from drink which he had in your house?—No.

1715. Did he die?—Yes.

1716. Did he die from drink he had in your house?—No; the doctor said it was from a heart disease. I do not think he was in my house for more than three months before the election, and then he came in without any money, and he would get nothing there without; he then went and pledged his waistcoat, and when he came in, I said, "Go out, you villain." Whoever instructed you to ask me that question, instructed you wrong.

1717. When was it that Mr. Moore resigned?—I am not sure; I think it was on Thursday that the placard was issued.

1718. There was no complaint made in that placard of any disturbance, was there?—I think there was something to the effect that the lives of the inhabitants would have been endangered if he went on. I think it was lucky for some of us that he retired.

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Re-examined by Mr. *Hodges.*

1719. You have been asked whether your children or servants were injured by this attack upon your house. About what time was it that the attack was made upon the house when all these stones were thrown in?—It was so long and so tedious and so often returned and resorted to, that I did not take the hour.

1720. Was it morning or evening?—It was at night.

1721. Were your children gone to bed?—They were all in bed, and had to be gathered up out of bed.

1722. When the stones were first thrown into the house did you tell anything to be done for the protection of the children?—Yes; I told the mistress to mind about the children, and send the maid up-stairs, and take them out of the bed, or the stones would reach to their beds; they got them out of bed, and put them behind the door, and kept them all safe.

1723. You had all the children put behind the doors?—Yes; it is a small house; at last they ran to the cellars, with the exception of my son, who got me a large form to put against the door.

1724. How many small children have you?—I think there are six or seven or eight of them.

1725. Had you left them all behind the door?—All the small ones.

1726. By placing them behind the door, did that save them from the stones?—Yes; from the stones that were thrown through into the bed-rooms.

1727. You say some of the elder ones went below into the cellar?—Yes.

1728. By adopting that course they were protected?—Yes; the people could not throw stones in there.

1729. How long did this attack upon the house continue altogether?—It was two hours from the first to the last attack, and when they went away the second time there was a file of police coming down, and I shouted at the top of my voice, "Was Captain Cory there," or any of the police, to protect me, for they were racking my own house; but the police walked on, having their own private instructions, I suppose, and said nothing to me.

1730. Were your chairs destroyed?—Yes.

1731. Were those chairs destroyed by the stones?—Yes.

1732. Altogether you think there was a barrowful of stones?—Yes; many of them being four and others three pounds weight.

1733. With regard to the claim you made for the damage done to you, you say 2 *l.* 15 *s.* 6 *d.* was awarded to you; was it more than enough to pay for the glass that was broken?—No.

1734. You were not recompensed for the damage done to the frame of your windows?—No.

1735. Nor for the injury done to your chairs?—No; I cobbled them up as well as I could. I have not stated half what I could state. I do not know now that I am sitting here, and having been followed to Dundalk, and threatened in every shape and form, whether I have a house at this present moment in existence. I assure you that the vengeance that there is about this matter is nearly as bad as the election, and I do not know that my life is safe now that I have come here to give plain testimony for liberty to people to vote as they please.

1736. Had it been your intention to vote for Captain Moore?—Yes.

1737. If Captain Moore had not retired, could the voters have gone to record their votes with safety?—No; and if all Drogheda would say otherwise, they would not say what was true.

Henry Bagnall was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Henry Bagnall.

1738. ARE you a boot and shoemaker, residing at Drogheda?—I am.

1739. Are you one of the registered electors there?—I am.

1740. How long have you resided at Drogheda?—More than 30 years.

1741. Were you one of the supporters of Captain Moore at the election?—I had promised him.

1742. You had promised to vote for him?—I had.

1743. Do you recollect the state in which the town was on the Tuesday and Wednesday before the election?—I recollect something about it, but I was afraid to go out of the doors; but I saw from my own windows, and sometimes from the

the hall doors; but I was afraid to go out; but I went out once, and saw Mr. Jordan's house broken; that was after it was broken; I did not see it broken.

1744. Can you state generally what the condition of the people was about Wednesday, on the evening of Wednesday?—I have seen a good many elections, but I never saw an election similar to that, the people were so much excited; greatly excited, to an alarming extent; so much so, that I made up my mind on the Wednesday that I would not vote unless they got proper protection, for I felt my life would be in danger, and I did not see that protection, by seeing others abused.

1745. In what part of the town do you reside?—In Peter-street, No. 1.

1746. Was any damage done to your premises?—The windows of the dwelling-room and the upper windows were nearly all broken with large stones.

1747. Do you recollect what day that was?—Wednesday evening; I think that was the day of the nomination.

1748. You say that your windows were broken; what were they broken with?—Stones, large and small; they came so violently, that they knocked the paper off the walls, and my wife and I crept into the room to move some valuable furniture out of the way, and got retired to the back of the house, where we should be sheltered by walls.

1749. Having witnessed the state in which the town was, did you go to Captain Moore's committee, and make a statement to them?—I stated to Mr. Mayne, and told him that if I did not get protection, that I could not vote, nor would not; that I had made up my mind on that subject.

1750. When was that?—On Wednesday morning.

1751. When did you say that to Mr. Mayne?—I think on Wednesday morning.

1752. *Committee.*] It was the nomination-day?—Yes; but what time I cannot say.

1753. Some hours before the nomination?—I stated to my wife in the morning getting up, that I would not vote or venture my life under such circumstances, and I told it to Mr. Mayne, I think, in the evening of the same day.

1754. Mr. *Hodges.*] You think it was after the nomination?—After the nomination.

1755. From what you saw of the state of the town after the nomination, do you think Captain Moore could have gone to the poll, and continued the election without incurring considerable risk?—It was my firm conviction that he could not without the loss of some lives.

1756. Was that your firm conviction at that time?—It was my firm conviction at that time, and up to the present time I have no other.

1757. Did you see any persons assaulted opposite your own house?—I did see a good many.

1758. What days were those?—I think it was the same day.

1579. On the Wednesday?—On the Wednesday I saw Mr. Verdon coming up, I believe after seconding the nomination, and he was covered over with dirt, and everything that could be thrown at him, and stones were thrown at him.

1760. Were you yourself and your family alarmed?—Greatly alarmed.

Cross-examined by Mr. *Power.*

1761. You made a claim for compensation?—Yes.

1762. What was the amount; how much did you get?—I made a claim of 50 *s.*

1763. What did you get?—It is not settled yet; there was not money to meet the demands; I believe I spoke to the treasurer.

1764. The treasurer is not bankrupt, is he?—I hope not; he said he had not money come in; it would be collected.

1765. Do you know what they fixed upon?—Yes; 50 *s.* they fixed upon.

1766. Was that your claim?—That was my claim; it was my first claim.

1767. Did you get the full amount; did they allow all you claim?—Yes, they did allow it.

1768. When was all that damage done?—On Wednesday evening.

1769. That was after the nomination?—Yes.

1770. I believe upon the last election you voted for Mr. M'Cann?—Yes, I did;

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did; but I would not vote for him, and I told him so, if there was a Conservative to oppose him, and on those conditions I voted for him.

1771. That was upon the former occasion?—Yes.

1772. With reference to what took place on this day of election, how far off do you reside from the polling-place?—Very close to it.

1773. Do you represent to the Committee that on the polling-day you could not perfectly well have gone to that polling-booth, and recorded your vote?—I am perfectly sure on my oath I could not; if Mr. Moore had not resigned, if he had continued, I am perfectly sure on my oath I could not.

1774. Did you see upon the polling-day a single act of assault, or anything of the kind?—I did; I saw several gentlemen attempted to be pushed down by the crowd, to be pushed by the infuriated mob off their feet, in order, as I suppose, then to be trampled on.

1775. On the polling-day?—On the nomination-day and on the polling-day.

1776. On the polling-day were not ladies going round the streets of Drogheda?—There might have been some; I did not go out that day, except once.

1777. You only went out of your house once?—But I saw from the windows, from the broken panes.

Re-examined by Mr. *Hodges.*

1778. Do you believe that if Captain Moore had not retired, you would have been unable to go up to the poll on the day of the polling?—I swear it, without the slightest hesitation or doubt.

1789. And even though he had retired, you saw violence?—Such violence as warned me to stay within, because I thought I might be injured.

1780. Was it your conviction that the agitation would have been greater if Captain Moore had not retired on the day of polling?—Surely.

[The Witness withdrew.

Mr. *Edward Michael Verdon* was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Mr. *E. M. Verdon.*

1781. ARE you sub-sheriff for the county of the town of Drogheda?—Yes.

1782. *Committee.*] You are son of the high sheriff?—I am.

1783. Mr. *Hodges.*] I do not know whether you are a voter or not?—I am.

1784. You are on the register?—Yes.

1785. Did you support Captain Moore at the last election?—I had not made up my mind who I would support; but I was determined not to support Mr. M'Cann, for I thought him an unfit person to represent the town of Drogheda.

1786. Will you describe to the Committee what the state of the town was on the Saturday before the week when the election took place?—The week before the election, that is the week before the 30th of March, there was the greatest apathy. I recollect seeing Captain Moore canvassing with Mr. St. George Smith, and being cheered by the people; but notwithstanding that, the greatest apathy appeared to prevail among the people about returning Mr. M'Cann, notwithstanding the gutter-orator addressed the people in the evenings for many consecutive nights for the return of Mr. M'Cann, and these men singled out private individuals, and attacked their character in the most ruffian terms, both privately and publicly, and notwithstanding that, there seemed to be great apathy until the Monday.

1787. You observed Mr. Moore on his canvass on the Saturday, and heard the people cheer, and things seemed to be going on very well?—Yes; I do not think I saw him on the Monday canvassing.

1788. Were you present when the priests spoke to the people from the balcony of the White Horse?—I was present on the evening of the 30th of March; I believe that was the first evening that a meeting was held from the balcony, when the priests addressed the people.

1789. That was on the Monday?—Yes.

1790. Were you near enough to hear what was said?—I was near enough to catch distinctly some sentences that dropped from them, but other sentences I could not hear.

1791. Who was the priest speaking?—The Reverend Mr. Hanratty; I heard him

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him say, speaking of those Catholics who would vote in opposition to their priests, that they were only nominal Catholics—Catholics in name—in fact not Catholics at all, and, to the best of my recollection and belief, he added, that they were only "supers."

1792. What is the meaning of "supers"?—In Ireland it is a term of great reproach indeed, because, when a man is called a "super," they generally mean that he is a renegade to his religion, or a person who has abandoned his religion for dishonest gain.

1793. Did you hear anything that any other priest said?—I heard the Reverend Mr. Montague appeal to them in the name of their religion for their faith, that the Boyne ran crimson with the blood of their forefathers in defending; to stand by their priests, and vote for Mr. M'Cann; and I heard him, at the close of his speech, call on them in God's name to teach the Orange faction such a lesson now that they would never dare to raise their heads in the town again.

1794. You knew them both?—Well; their names were given out when they came to speak, and they appeared in the balcony: some one said, "This is the Reverend Mr. Hanratty," or "the Reverend Mr. Montague, going to address you."

1795. They had their priests' dress on?—They had their ordinary clerical garb that they wear; I could not distinguish that; it was after dark; but I suppose they had it on; they usually have it.

1796. Did you hear any other persons speak except the priests; did you hear Mr. M'Kenna?—Yes.

1797. What is he?—He is a solicitor, I believe; he was engaged for Mr. M'Cann; however, I do not know, but he spoke for him on that evening.

1798. Do you recollect anything he said?—Addressing himself particularly to the non-electors, speaking of those voters that would not vote for Mr. M'Cann, he said he would not exactly ask them to nail their ears to the pump, but there were many ways, he said, of getting a man to vote besides dragging him to the poll. "But you have not a vote," says he; "you have a woice"; that was the word he made use of, "woice;" pronounced it with a "w," instead of a "v," and it was received with cheers by the people; there was another speaker; and Mr. Kertland addressed the people, and he called upon them to sustain Mr. M'Cann, because he was sustained by their priests and by their mayor, Mr. Thomas Carty, who, I believe, was chairman of the committee, and because he bearded the Government and the police for the poor man.

1799. What effect did these speeches appear to you to have upon the people?—They had a most exciting effect, because I told you the greatest apathy previous to this meeting was among the people; but after that, they became excited, and paraded the streets to a late hour at night, crying out "To hell" with such and such people as were opposed to them; I heard some of them say that to them myself, and others saying there was no law during the elections.

1800. Did they state this openly in the street?—Yes; the people said that as they passed to and fro; you would hear occasionally a voice from the midst of the crowd saying it.

1801. Did the violence become greater on the Tuesday and the Wednesday?—On the Wednesday, the day of the nomination, it seemed to have reached a perfect climax.

1802. Do you know anything with respect to the application that was made by your father that tickets should be issued to enable each gentleman to come with his friends into the Town Hall; were you present?—I was present when he proposed that.

1803. To whom did he propose that?—To Mr. Clinton.

1804. Is he a solicitor acting for Mr. M'Cann?—Yes; he proposed it to him, and he refused, and said there was no necessity for it.

1805. What was the proposal?—To issue a number of tickets; an equal number to be given to each of the candidates' friends, that they might get easy access into the Tolsey, where the election would be held on the day of the nomination.

1806. What answer did he make?—"Oh, no; there is no necessity;" and he went out of the hall door.

1807. Rather evaded the question?—Quite so, I thought.

1808. Do you happen to know when it was that the mayor possessed himself of the key of the Town Hall?—He was the mayor of the town, and of course he had

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had the key under his control at all times, from the commencement of his mayoralty.

1809. Were you present the next day at the nomination?—I was; and I was present the next day, the morning of the nomination; we went over at half-past nine to the Tolsey.

1810. What I want to ask you is this: we have heard from other witnesses what occurred; did you observe the Reverend Mr. Montague go outside the Town Hall?—I did; there was a cordon of police; the crowd were greatly excited, and it was growing larger every moment, and the cordon of police formed around the high sheriff (my father), Mr. Moore, and others, at the steps of the Tolsey; and I saw then the Reverend Mr. Montague encourage one or two men, who appeared to me to be leaders, inasmuch as one or two of the men that he appeared to me to encourage made a violent speech; he spoke to the people of '98, and appealed to the most violent class; they saw their fathers hanging at the town pump, and at the lamp-post, and so on; and I saw him point to break through this cordon of police that was formed; it was his manner; it was nothing that he said, but it was his manner and acts that led me to think it, and believe it.

1811. Did it appear to you he had a control over the people by those gestures?—I do not know; my attention was immediately called somewhere else; I could not see the effect upon that particular place, but immediately afterwards the people did break through the police; I saw stones thrown at that time, and saw a policeman fall, and raised him up, and I thought, from the convulsive state he was in he was mortally injured; and I am convinced in my own mind, that were the people not then driven back at the point of the bayonet, some one would have fallen a victim to their fury.

1812. Were the police then obliged to fix bayonets for the protection of your father, and Captain Moore and his friends?—They were.

1813. And they kept the mob off?—Part of them; but a great part had got inside; they were crushed; and I saw Mr. Brodigan, one of the candidates, rudely assailed, and a violent attempt made by the crowd, by pushing and elbowing him, to prevent his entrance into the Tolsey that morning.

1814. Afterwards the Town Hall was open?—The mayor came down with the key in his hand, and opened it.

1815. Did you see him open it?—Yes.

1816. Had he the key in his pocket?—I cannot tell; it was in his hand when I saw it.

1817. When the door was opened there was a great rush into the hall, and great confusion and noise?—Tremendous confusion; I never witnessed such a scene.

1818. If you could tell me in a few words what occurred in the hall I should be glad?—The most violent outrages characterised the mob; if you could conceive hell let loose, it would give you a faithful idea of it.

1819. When you saw the way in which Mr. Jordan was attacked, did you see he was assailed, and his coat torn?—He was assailed; he was covered over with spittle and filthy matter.

1820. Were you so?—I was beside him.

1821. In consequence of what you saw, and the conduct of the people towards Mr. Jordan, did you appeal to any person to protect him?—I appealed to Mr. Thomas M'Cann, for the purpose of getting him to interfere.

1822. Is he one of Mr. M'Cann's committee?—I believe so.

1823. Is he a relation?—He is; he is his brother's son.

1824. What did you say to him?—I appealed to him for the purpose of getting him to interfere, and asked him, did he allow of this ruffianism, and he said that he deserved it.

1825. That is Mr. Jordan?—Yes.

1826. Did you make him any reply to that?—Well, I do not know that I did; I forget now; I am sure I said something, but I forget what.

1827. After the nomination was over, did you return into the town again?—Mr. M'Cann himself made a speech on the day of the nomination, and he said he did not blame those Conservative gentlemen that were opposed to him; he did not blame them; but he said those Catholics that were opposed to him, that they deserved what they got, and what they will get.

1828. You

1828. You heard him say that?—Yes; and it made a commanding impression on my mind, because it foreshadowed a system of pre-organised intimidation; I knew we should be in for something very wicked.

1829. In the course of that Wednesday night were you struck in the streets?—I was struck with stones and mud, and I saw Captain Derenzy struck with mud or stones, I cannot tell which, and I saw Captain Cory and the police; stones were literally showered upon them.

1830. Was the violence outside very great?—Very great; it was most alarming; I am quite satisfied had Mr. M'Cann gone on, there would have been bloodshed.

1831. That is your judgment?—Yes, I am satisfied of it.

1832. Do you know whether there was any meeting at the White Horse on the evening of the Wednesday, the day of the nomination?—I went in that direction.

1833. Did you see the priests?—I could not say; I know there was a meeting; but who spoke to the people there I could not say.

1834. But you know there was a meeting on the evening of Wednesday?—I believe there was, from the crowd, and the appearance of them.

1835. You did not go up to them?—No, I did not; I was afraid to go.

1836. Did you see anything of the destruction of Mr. Jordan's house that evening?—I heard the crashing of the windows, and saw the mob.

1837. How did you see that?—My own house is just beside it.

1838. Was it a great crash?—Tremendous.

1839. Did it alarm you?—Very much indeed.

1840. Did you see the house the next day?—I saw his drawing-room next morning; I went to him, and thought he was hurt, for there was a light in his window that was broken in, and I was afraid he was hurt; I was afraid to go out that night, or I would have gone over to him. I saw his drawing-room covered over with sticks and stones; his table was broken; the leg of it was broken.

1841. Were the windows broken?—The windows were broken, and the casement was carried away, and the pannel of the door bore evident marks of having been violently assailed with stones, and was partially broken in.

1842. Were there a wheelbarrowful of sticks and stones, do you think?—Oh, yes.

1843. Were any of the stones a good size?—Some of them were, I think, 10 or 12 pounds weight; some of them were of an immense weight, and evidently must have been thrown by very strong people.

1844. Was your own house attacked at all?—Several windows were broken in my house, and several stones struck my doors.

1845. On the evening of the Wednesday?—Yes, and afterwards, on Thursday night.

1846. Had you occasion to go up to the telegraph office that night?—No, on the day of the polling.

1847. What did you do?—I went to the telegraph office for the purpose of telegraphing to Mr. Hammond, my father-in-law.

1848. Is he a voter?—Yes; I wished him not to come down, lest he should be abused for the town; though there was no stone-throwing that I could see, at least no great stone-throwing, still the people were now in that kind of state; they were just like lucifer matches; the least friction or opposition would ignite them.

1849. You advised him not to come and vote?—Yes; and the curse of God was prayed upon my head, and they threatened that they would smash in my house.

1850. Could you say whether the people appeared to have been drinking, any of them?—The leaders of them were half drunk.

1851. Did you apply for any compensation for the damage done to your house?—No, I did not.

1852. Why did you not?—Because I felt I had the means of compensating myself for the damage done. I owed the reverend gentlemen of St. Peter's some money, and when they applied to me for it, I told them I retained it as some compensation for the injury done to my property through their exciting speeches to the mob; I told that to the Reverend Mr. Hanratty.

1853. Are you a Roman Catholic?—I am.

1854. *Committee.*] Did they assent to that?—The assenting to it is this: when I say I owe the money to them, I do not legally owe it.

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1855. Did they consent to forego their claim?—He just asked me, "Will you not give it me?" and I said "No," and he went away.

Cross-examined by Mr. *Power.*

1856. These are the dues you usually pay to the Roman-catholic priests?—Yes.

1857. And you set off the damage to that house against your dues?—I paid them dues one part of the year.

1858. You retained the amount of compensation you thought due against the dues?—Part of it.

1859. That was rather an aggravating thing to do; what was the amount you estimated, the amount of the damage done to your house; were there more than two panes of glass broken?—Yes; there were ten panes of glass in my house that were broken.

1860. Was that all?—I think so.

1861. Will you be kind enough to tell the Committee the whole extent of personal injury done to man, woman, or child, during the election?—I could not tell you; I do not know it.

1862. There is this one policeman?—That came under my own personal knowledge.

1863. Tell me any other case?—I cannot tell you.

1864. Tell me any single case of personal injury during that election?—I do not know any of my own knowledge, and I did not go much about; I was afraid to go.

1865. This gutter-orator that you say was brought down, who brought him down?—I did not say he was brought down; he lives in the town.

1866. Who is he?—His name is O'Donoghue.

1867. Who brought him?—I do not know.

1868. Do you not know he was Mr. Brodigan?—I do not.

1869. Do you mean he did not speak on behalf of Mr. Brodigan, the petitioner?—No; I heard he was abusing myself and my father personally by name in the grossest language, and I went to hear him; on that occasion I never heard him say a word in support of Mr. Brodigan.

1870. Was he not Mr. Brodigan's agent?—I do not know.

1871. Will you swear he was not?—I know nothing about it; I will swear nothing but the truth.

1872. What took you to this meeting; you say this man could not get up an excitement in the town; what took you to the other meeting, where these clergymen were?—It was a matter of accident; I was standing with a gentleman near the hotel, and I heard that the priests were addressing the people till Mr. M'Cann and I simply went up.

1873. It was an open-air meeting?—Yes.

1874. Did you receive the least injury?—On that night they were exceedingly quiet.

1875. But after the speeches were delivered?—I did not remain there.

1876. You heard all the first clergyman's speech; you heard Mr. Montague's speech when he reminded the people that the Boyne ran crimson with the blood of their forefathers, and you heard Mr. Kenny; during all that time did you receive the least insult or personal violence from any of those about?—I was not known to any one of those about me.

1877. Did you see anyone receive any injury there; I suppose the people hear, heard, and cheered?—Yes, and seemed to enjoy it very much when the names of private individuals were held up to them.

1878. Did you take any active part in the way of speechifying at the election?—No.

1879. What time at night was it you made any inquiry of Mr. Clinton about getting tickets?—I made no inquiry at all.

1880. Was it not as late as half-past 10?—It was at night-time, but I cannot say what time it was.

1881. Was it not as late as half-past 10?—I can neither say it was or was not.

1882. Did not Mr. Clinton say at that time of night it was too late to alter the arrangement?—He did not say so.

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1883. Or nothing of the kind?—He did not.

1884. What did he say?—My father said, "I believe it is customary in other places;" and he said in that off-handed manner, "There was no necessity for it," and went away.

1885. Will you say that did not occur at half-past 10?—I do not know.

1886. Did not Mr. Clinton give you every assistance in the conduct of the election that you required of him; lent you election books?—Yes, he did; and I am exceedingly obliged to him for that, and I felt obliged to him.

1887. Was he not courteous and civil and attended to all he could?—He was courteous and civil whenever I met him.

1888. Do you not remember that some of the language that he said that Mr. M'Cann repudiated—some of the language that had been used at the time of the nomination was too strong?—I never heard him say it.

1889. Will you say he did not?—I never heard him say it;—on reflection, I think he did say that to my father in my presence.

1890. That he felt the language used at the nomination was too strong?—No; that the language used by this gutter orator he had nothing to do with.

1891. You know the military were in the town?—Yes.

1892. Was any application, to your knowledge, made to yourself or anybody else?—No application was made to me.

1893. Or made by you?—Or made by me; I did not interfere in the matter; I thought I had nothing to do with it.

1894. You know the military were there?—Yes.

1895. Do you mean to represent to the Committee that the state of excitement in Drogheda at any time amounted to that degree that it was necessary to call in the military?—I think it was very necessary to call upon them to act.

1896. Why did you not, then?—I do not know, but I think it was most necessary.

1897. Can you give any reason why you did not?—I cannot tell.

1898. Did anybody, to your knowledge, suggest they should be called in?—Not to me; it is on my mind that some one did to my father, but I do not know of my own knowledge.

[The Witness withdrew.

Peter Verdon, Esq., was again called in; and further Examined by the *Committee*.

P. Verdon, Esq.

1899. YOU are the high sheriff?—Yes.

1900. And returning officer?—Yes.

1901. You made some sort of communication to the agent of Mr. M'Cann, on the evening of the Tuesday, proposing that a limited number of tickets should be issued to the friends of the several parties?—I did.

1902. And that proposition on your part was not assented to?—It was not.

1903. Were you aware at that time that there was a great deal of excitement in the town?—Yes.

1904. What proposition did you make to preserve an impartial hearing to the candidates and their friends on the following morning at the nomination?—I was unable to make any, but I would like to tell you what I would have done, if I had had the power; I never dreamt that the mayor would keep the Tolsey locked; I was not at all prepared for that course being taken; and when I went over, I meant to permit a certain number of respectable persons on each side, without favour or affection to any, to get places in the court-house, imagining that I could have done it before ten o'clock, thinking that the doors of the Tolsey would be open, as they generally are; I was disappointed in that: I thought every moment that the court-keeper would come with the key; I was in the expectation of carrying that arrangement out, which I was afterwards unable to do, and the thing came so suddenly on me, that I could make no proposition at all, or I would have done so.

1905. In the course of the nomination, when the excitement was at its utmost, did you receive any application from any parties to adjourn the court?—I did; several persons around me, Mr. Smith, Mr. Jordan, and Mr. Carnes called upon me to adjourn the court.

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1906. Did you conceive that you had the power legally to do so?—I did.

1907. Did you conceive that you had the power physically to do so?—I had not, and that prevented me.

1908. Was the reason why you did not adjourn the court solely because you thought you could not carry into execution any such adjournment?—It was, decidedly.

1909. The nomination being over before Captain Moore retired, did you make any arrangement so that his voters could come up to the poll, or so that any of the other candidates' voters could come up unmolested to the poll?—There was not time; it would have been necessary to have done it because a day intervenes; I should have had the following day to make any arrangements.

1910. What would your arrangements have been supposing Captain Moore had not resigned?—I would have made such arrangements as would have protected the people, as far as I had the disposal of the force, from the tally-rooms to the Tolsey to poll; but I do not think I could have protected them from their houses or home to them; if they had been able to get there, I would have endeavoured to protect them.

1911. You stated yesterday that you telegraphed to Dublin on the Wednesday either for more troops to be sent, or for those who were there to be allowed to remain?—I did.

1912. Which of those two did you apply for?—The two Mr. Smiths called upon me, and the town was very excited, and they came in and said they had understood, or had got information, that large mobs (I think they said hired mobs) of strangers would be into the town next day, and that there would be great rioting; and I think they added that there would be wrecking of houses, and they asked me to apply for an increase of military. At the moment that Mr. Smith was speaking to me, Mr. Derenzy, a stipendiary magistrate, came in, and I said to him, "Hear, Mr. Derenzy, what Mr. Smith is telling me." "Why," he said, "Mr. Derenzy, I understand the dragoons who are here are preparing to leave the town." "That is very strange," said I; "who has given that order?" "I do not know," said he, "but the captain told me." "Oh, that must not be the case," said I. Said he, "I cannot interfere, they are under orders;" and then I thought to myself there's some time, and I thought the best thing I could do was to telegraph to the Government and tell them the information I had received, and request them either to allow the troops to remain, or to send others in their place.

1913. Were you present when the friends of Captain Moore resolved to advise him to retire?—I never entered one of their committee-rooms at all. I would not take any part one side or the other. I considered it not prudent or right in me to take any part in the official position of sheriff or returning officer.

1914. You gave no opinion about his retirement?—I did not, and I was not asked; but Mr. Smith, the chairman of his committee, told me the reason why they had made up their minds, and I think he was right.

1915. If you had had a good body of police in the court-house during the time of the nomination, such a force as would have enabled you to secure the carrying out of any legal order, would you have adjourned the court?—I would, from the excitement, decidedly.

1916. Were there any police in the court?—There were some.

1917. How many?—I could not say; very few.

1918. Do you know why there were not more?—They were not able to get in in time. I did not foresee such a state of things.

1919. Mr. *Phinn.*] What more was there to be done besides the nomination of the candidates?—That was all that was to be done on Wednesday.

1920. You had no other candidate likely to be proposed?—Nobody could hear who was proposed but myself. I had to take it in a whisper from them, and then I announced it; but the scene of confusion was so great—it was the most improper proceeding altogether.

1921. What number of people does this court-house hold, do you think?—It is a good size.

1922. Is it the court-house used for sessions?—Yes.

1923. It holds seven or eight hundred people?—I should say it does, and more.

1924. Would you have adjourned to hear the speeches, or what?—I would have adjourned so as to enable the different candidates that had to speak to be allowed

allowed to speak, and to be allowed safely to speak, because they were in danger in the then position of affairs. *P. Verdon, Esq.* 31 July 1857.

1925. Mr. *Slade.*] Had it been customary at all previous elections to make arrangements about the tickets?—I cannot say; I had never acted as high sheriff before, but I understood it was usual, and I wished to make the same arrangement, if I could, myself, for the sake of order.

1926. Acting under the impression that it was the custom to have these tickets for the sake of preserving order, you proposed it to the mayor?—Not to the mayor; to the conducting agents; and the other candidate, Mr. Brodigan, wished for it too, and he left cards for the purpose.

[The Witness withdrew.

[Adjourned to To-morrow, Eleven o'clock.

Sabbati, 1° die Augusti, 1857.

Richard Harvey was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

R. Harvey. 1 August 1857.

1927. ARE you an inhabitant of Drogheda?—Yes.

1928. A voter?—Yes.

1929. Do you remember the last election?—Perfectly.

1930. What are you?—I have served my time to the hat manufacturing business, but I conduct many other things in my shop.

1931. *Committee.*] You are in trade?—Yes.

1932. Mr. *Slade.*] Do you remember its being publicly announced that the people would be addressed by Mr. M'Cann's committee at Hammock's hotel on Tuesday the 31st of March?—Yes.

1933. On that evening was there a very large assemblage of people?—Which evening do you refer to? On the Monday the 30th, and Tuesday the 31st, there were large crowds, especially on Tuesday evening.

1934. Was there an announcement that they would be addressed on the Monday as well as on the Tuesday?—I observed a placard on the Monday, telling the people they would be addressed on the Tuesday; and also at the conclusion of Monday evening's speaking, they were told to be there on the Tuesday.

1935. There was no placard announcing addresses on the Monday?—No, I did not observe them.

1936. But were there addresses delivered on the Monday?—Yes.

1937. Will you state the apparent number of people who were congregated round this hotel?—I should say there were about 5,000.

1938. Is it one of the principal hotels in the place?—Yes.

1939. Is there a balcony to it?—Yes, capable of admitting a large number of individuals.

1940. Was the balcony full?—Tolerably full.

1941. Did you see any priests there?—I saw four or five.

1942. Did you know them?—Some of them. I afterwards heard the names of the others; there was Father Hanratty.

1943. Father Montague?—Father Montague.

1944. Father Powderly?—Father Macken and Father Powderly.

1945. Were there any others?—There were several other gentlemen; laymen.

1946. Any other priests?—I do not recollect.

1947. Do you know a priest of the name of Sullivan?—I do. I have heard since that he was there, but I did not observe him.

1948. You observed those four?—I observed those four whose names I have given.

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1949. Did you hear either of them address the people?—I did.

1950. On the Monday?—On the Tuesday.

1951. On the Monday did you hear them address them?—I believe they did address them, but I only passed through the crowd on the Monday.

1952. On the Tuesday?—On the Tuesday Father Montague made a very violent speech.

1953. Can you recollect any of the expressions that he used?—Yes; in alluding to the candidate, Captain Moore, he said, "And by whom is he introduced? the Smiths: well may they be called Smiths; hereditary enemies, who forged the chains and shackles for our relations, and crowbars to force open our convents."

1954. Do you remember any other expressions?—Yes; he also stated that "those who would be voting against Mr. M'Cann would be voting against their country, their religion, and their God, and that themselves and their houses should be avoided." This I understand to mean that they were not to deal with them.

1955. Do you recollect anything else?—Father Hanratty also addressed them.

1956. Do you remember anything that Father Hanratty said?—Father Hanratty's remarks were principally directed to the Roman-catholic voters; he said that any person voting against Mr. M'Cann would be voting against their religion and their God; he principally directed his discourse to the Roman-catholic voters in order to deter them from voting for Captain Moore.

1957. Did he say anything else?—Yes; he told them they would be voting against their God.

1958. You say he principally directed his language to the Roman-catholic voters?—Yes; denouncing them as "Orange miscreants," "recreant miscreants," and "Orange Catholics."

1959. Denouncing whom?—The Roman-catholic voters.

1960. Who voted?—Against Mr. M'Cann, as "recreant miscreants," and "Orange Catholics," and "Superites," and "Spoonerites."

1961. What is a "Super"?—It is a term of reproach applied to those persons who have been interested in the Reformation movement in Ireland.

1962. When does a Roman-catholic become a "Super"?—If he is suspected of being partial to the movement.

1963. What movement?—The movement of the Reformation that is going on in Ireland.

1964. What Reformation is that?—There are Bible readers going through the country.

1965. A Roman-catholic who is supposed to be favourable to the Bible readers going through Ireland is called a "Super"?—Yes; there is a gentleman named Miller, a Protestant clergyman, convenient to Drogheda, who is much interested in this, and they call them "Millerites."

1966. There is the "Spooner," the "Super," and the "Miller"?—Yes.

1967. He denounced those parties who voted against Mr. M'Cann as "Spooners," "Supers," and "Millers"?—Yes, and recreant miscreants.

1968. And recreant Catholics?—Yes.

1969. That was Father Hanratty?—Yes.

1970. Did you hear Father Hanratty say anything more, that you recollect?—No. I heard another person giving a very glowing description of the massacre of the inhabitants under Cromwell, and he gave it to be understood that this was all to be attributed to the forefathers of Captain Moore; and, pointing to the court-house, he said, "Look at the place where your forefathers have been hung, of whom they left but seven, and you, the descendant of that seven, are called on to send this man to Parliament." Another of the speakers said, he applying to the Battle of the Boyne, that it was to be fought over again, and that Peter-street was to be the camp of the enemy—Peter-street being the place where Captain Moore kept his tally-rooms; and he also (I believe it was Father Hanratty) stated, "Look at St. Peter's Church; it was once the Church of God, but now I do not know in what terms to describe it."

1971. Was this said by a priest?—Yes; to the best of my belief, it was said by Father Hanratty.

1972. Were

1972. Were the priests upon that occasion the principal speakers?—They were. There was another gentleman who spoke; I believe it was Mr. M'Kenna, an attorney; he was very busy in Mr. M'Cann's interest; he said, "Every woman of you be there to-morrow" (that was at the nomination on the following day); "and if you have not a vote you have a voice, and use a little gentle suasion with the boys; and if they do not come to the poll, bring them by the poll of the neck."

1973. I suppose that was about the most harmless part of the harangue, was it not?—I assure you I think it was; it was received very good-humouredly.

1974. What was the effect apparent upon the crowds of people below the window?—Immediately after the crowd dispersed, and moved in the direction of Peter-street, they commenced breaking the windows; Captain Cory (he is the sub-inspector of the police there) succeeded in dispersing the crowd that gathered in front of the windows; after awhile they gathered again in great numbers, and commenced a vigorous attack upon Captain Moore's tally-rooms.

1975. What was that attack made with?—With stones.

1976. Were the windows broken?—They were considerably broken; I, then standing in the street, applied to Captain Cory to disperse the mob; he said that the police were not under his orders; that they were under—that they were under the orders of the stipendiary magistrate.

1977. Who was the stipendiary magistrate?—Captain Derenzy; Captain Derenzy was standing by at the time, and I turned round, and then applied to him; he declined.

1978. Tell us what he said?—He said, "I will go and see;" he walked up the street, and Captain Cory caught me by the arm, and said, "Go with him, or else they will pelt him."

1979. That is, go with the "stipendiary magistrate"?—Yes.

1980. Did you go with him?—No, I would not venture it; I have heard since that he was knocked down on that occasion.

1981. Go on, if you please?—Well, then, that was pretty late that night, and I went home.

1982. Did you see a man named Thomas Kelly's house?—I did.

1983. Was anything done to you?—The principal damage that was done to that house was done on the succeeding evening.

1984. Was there any damage done that evening?—There was.

1985. What was that?—The windows were broken; I have already stated so.

1986. Was that the tally-room?—Yes.

1987. Will you state, if you please, what occurred on the following day, the Wednesday?—About half-past nine I went up; this was the day of the nomination; I went to the Tolsey and found the police in a circle round the entrance; the doors were locked; there was an immense crowd round the police, and they succeeded in getting inside the circle of police. I there saw a number of Mr. M'Cann's friends, and a number of Mr. Moore's friends, but the doors were locked. Some time after that, Mr. M'Cann, accompanied by the mayor and a large number of his committee, came in, and the doors were thrown open, and we got into the building; there were a great many persons then in; but the crowd, generally speaking, were kept out; the business did not go on until the crowd would be let in. Young Mr. M'Cann, I think (it is Henry), shouted very vigorously to let in the people; at last they were let in, and then it was densely crowded. Mr. M'Cann was proposed and seconded, and there was very great violence in the Tolsey. Mr. Jordan seconded, I think, the nomination of Captain Moore.

1988. Was there a great deal of violence?—Very great.

1989. And was that confined to the supporters of Captain Moore and Mr. Brodigan?—It was exclusively.

1990. The violence, I understand you to say, proceeded from Mr. M'Cann's friends towards those persons?—Yes; any person suspected of being a friend of Captain Moore was hooted at and spit upon—though I should not say "spit upon," because that conveys no idea of the nuisance: the habit of withdrawing the mucus from the nostrils, and utterly covering him with it; ejecting it from the mouth. Mr. Jordan was standing by the platform; he got up on the platform while he was there; he endeavoured to turn round to avoid the nuisance coming on his face; an old fellow in the crowd endeavoured to pull him

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him off: I suppose it is about 10 feet high; and I verily believe that if he had fallen he would have been killed; fortunately the skirt of his coat came off, and thus saved him being pulled over.

1991. The skirt of his coat came off while they were endeavouring to throw him over?—Yes; to pull him across.

1992. Could you hear Captain Moore proposed or seconded?—No; although I was standing as close to the speaker as I am to this gentleman (*one of the Committee*).

1993. There was no possibility of hearing either the proposer or seconder of Captain Moore, or anybody but those in favour of Mr. M'Cann?—Not the slightest.

1994. It was quiet enough during the time he was proposed and seconded?—Yes.

1995. After that scene in the court-house, did you yourself witness any acts of violence?—I would also state that a Mr. Cuney seconded the nomination of Mr. Brodigan, and the crowd was very much disposed to annoy him; he happened to say something during Mr. M'Cann's remarks, and one person standing by me said, "Throw him down, and I will let his guts out." He swore an oath, by Jesus, that he would have his guts out.

1996. Do you know who that was?—It was one of the individuals in the crowd; one of the mob.

1997. One of the M'Cannites?—Oh, yes.

1998. Passing for a moment from the scene in the court-house; after the nomination, did you yourself witness any acts of violence in the town?—I did; I saw Cuney attacked; and he had to return to the court-house for protection, which he did with very great difficulty.

1999. That is the same gentleman that they invited to be thrown down, and have that gentle operation performed upon his guts?—Yes.

2000. *Committee.*] How long after the nomination was that?—About half-an-hour. Another gentleman—I think it was Mr. Henry Moore——

2001. Mr. *Slade.*] Not the candidate?—No. A person in trade in Drogheda was coming out of the Tolsey, and some person made a blow at him with a stone; it missed him, and struck a policeman under the eye; I afterwards heard he had to be dressed by a surgeon.

2002. *Committee.*] Was that after the nomination?—Yes. Several persons remained in the court-house; they would not come out during the time the mob were in the street.

2003. How many entrances were there to the court-house?—One.

2004. Only one?—Only one.

2005. Mr. *Slade.*] Did you see Mr. Moore go into any house for protection?—Which Mr. Moore?

2006. Mr. Moore who got the blow?—He did not get the blow; it was intended for him, I believe; it was the policeman who got it.

2007. Do you know a man named Roland?—Yes.

2008. Is he brother to the conducting agent of Captain Moore?—Yes, the brother; John Thomas Roland, a solicitor, and the son of a gentleman on Mr. Moore's committee; he was coming from the tally-room, and the crowd got round him; he ran to a furniture shop for protection; immediately afterwards the windows were all broken; several of the windows were broken, and I applied to Captain Derenzy.

2009. *Committee.*] This was the second time you applied?—Yes. "I cannot," said he; "I have sent for the cavalry."

2010. This was on the Wednesday after the nomination?—Yes. "I cannot; I have sent for the cavalry." "Will you," said I, "send another messenger?" "It will do no good," said he. "Will you permit me to make use of your name to bring them?" said I.

2011. Did Mr. Derenzy say that to you?—"Will you," said I to him, "permit me to make use of your name to bring them?" He declined; I then went and brought the cavalry myself. I then went and applied to the officer in command, and brought the cavalry myself.

2012. Mr. *Slade.*] Did you see Mr. Jordan?—That evening he was returning to his own house from Captain Moore's tally-room.

2013. Mr. *Phinn.*] Did you see this?—Yes; just opposite his own door, crossing West-street; the crowd endeavoured to intercept him.

2014. *Committee.*]

2014. *Committee.*] To intercept Mr. Jordan?—Yes; but he succeeded in gaining his own door, and as he was just entering, a fellow with a stick about so long (*a foot long*) made a blow at him; but he, fortunately, had the door just closed.

2015. Mr. *Slade.*] He did not strike him?—No.

2016. He made a blow at him?—Yes.

2017. That night were Jordan's windows broken?—They were; and at the time there were two parties of the police, one at one, and another at the other side of the house; they did not interfere.

2018. Is that the gentleman who goes by the name of "Miss Kitty?"—Yes.

2019. This was in West-street?—In West-street. One of the gentlemen from the balcony, on the evening previous told them to go down and serenade Miss Kitty.

2020. Was that one of the priests?—I think not.

Examined by the *Committee.*

2021. You say there were two parties of the police on either side of Mr. Jordan's house?—One party on either side.

2022. And they did not interfere?—They did not interfere.

2023. How strong were they?—I would say they were sufficiently strong.

2024. Tell me the number?—I should say there were from 20 to 30 in each party.

2025. Were they present when the mob made the attack?—His windows were broken over their heads in some instances.

2026. And did they take no steps to prevent it?—Not that I saw. I may also state that, on that night, I went over to Dr. Atkinson's, who was sitting in his drawing-room, and his daughter came in with a stone, about as large as my fist; Miss Atkinson said it had been thrown in. He said, "Go down, and put out the lights." Dr. Atkinson said that to the daughter, to compel the person in the shop to put out the gas; and she returned in a very short time, and said there were three other stones thrown in. He said to me, "Will you send a party of police up here, to protect the house?" As I was going out to do so, I met Mr. Brodigan, with an escort; he was coming to Dr. Atkinson's, and the escort protected his house for the time being.

2027. An escort of troops?—No, police. As I was returning to my own house, I met Captain Derenzy again; and I asked him to send a party of police to Dr. Atkinson, to protect his windows; and he declined sending any, and walked with the police in a different direction.

2028. In your opinion, would it have been dangerous to life to attempt to vote for Captain Moore?—I believe it would.

2029. Judging from what you saw, were the mob in such an excited state that loss of life was to be apprehended if the election had proceeded, if Captain Moore had determined to go to the poll?—I am firmly of that opinion; I know I would not vote, from the intimidation that I saw.

2030. Just state that over again?—I would not vote.

2031. Did the acts of violence which you saw, and the inflammatory speeches which you heard, operate upon your mind, to the extent of making you apprehensive if you were to go and vote?—It did.

Cross-examined by Mr. *Phinn.*

2032. I believe you keep a hat shop?—I do; that is the principal branch of my business.

2033. Did you close your hatter's shop on the Wednesday?—Yes.

2034. All day?—I kept up my shutters.

2035. All day?—When I saw violence in the street.

2036. On your oath, was not your shop open all day?—The door was open.

2037. Up to the evening?—The door was open.

2038. Were not your windows open?—Part of the day.

2039. When did you close your windows?—I put up the shutters and took them down twice during the day.

 2040. When

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2040. When did you put up your shutters first; was it when you went off to attend the nomination?—No.

2041. When?—The town was quiet then.

2042. When?—A short time after the nomination was over.

2043. How long did you keep them up?—I kept them up between two and three hours.

2044. Then what time would it be that you put them up?—As soon as I returned from the nomination, when the crowd was dispersed.

2045. Who was in the house?—I have two brothers and my father, and two sisters.

2046. Were they in the house when you put up the shutters?—I would say that at any time either two or three of them would be in the house.

2047. Did you go down to the committee-room during that time?—No.

2048. Where did you go?—I have not been in the committee-room, except on one occasion when I was sent for.

2049. Where did you go to from your house when you put up your shutters?—I remained in the house.

2050. All the time?—Yes.

2051. When did you take your shutters down again?—I do not think it was I took them down.

2052. Will you swear you did not?—I would swear that, if they were put up, I might say I put them up; but at the same time they would be put up by my orders.

2053. Were they taken down again?—They were.

2054. At what time?—They were put up at the time I returned from the nomination; they were taken down, I would say, in about two hours and a half afterwards, and then they were put up again in the evening.

2055. *Committee.*] At the ordinary time of closing the shop?—No, long previous to that.

2056. Mr. *Phinn.*] Were you walking in the town when you saw this attack on "Miss Kitty," as he is called?—The attack I spoke of, on the day of nomination, occurred in the Tolsey.

2057. You said you saw him attacked in the evening, and that stones were thrown at his house; were you walking about in the town then?—No.

2058. What were you doing then?—I went out and remained out, when I saw the attack on Mr. Jordan, for about half an hour.

2059. You say there were 60 police there?—At night.

2060. About 30 each side?—Yes.

2061. Did they attempt to form across the street, to divide the crowd?—Not at that time.

2062. Were they armed with muskets and bayonets?—They were armed with muskets.

2063. And bayonets?—I do not know whether they had them on the guns or not.

2064. When the police are on duty in Ireland, do they not always have their musket and their bayonet in the sheath?—Generally.

2065. Had they not on this evening?—I think they must have been in the sheath.

2066. What is the breadth of this street?—It is a considerable breadth at this portion.

2067. Is it 30 paces across; is it as broad as this room?—Wider considerably.

2068. A little wider than this room?—I think so; considerably wider.

2069. Half as wide again?—I would say the car-way between the kerb-stones is wider than this room.

2070. Then the police did not attempt to form across the road at all?—No, not at that time.

2071. Were you aware that there was a company of infantry in the barracks?—No.

2072. You were not aware of that?—No.

2073. Were you aware that the cavalry were in the town?—Yes, I was.

2074. You really were not aware that there was a company of infantry there?—I was not.

2075. You

2075. You did not see them out at all, I suppose?—I did not observe them; I kept very much within the house during the whole time.

2076. On the Friday did you vote?—No.

2077. What prevented you from voting?—I did not vote at all.

2078. Could you not have walked up to the poll and voted easily enough on Friday?—I would not wish to do so.

2079. Why not?—From the state of excitement the people were in.

2080. On the Friday?—Yes.

2081. Was there any danger to anybody voting on the Friday?—I did not go out.

2082. Upon your oath, was not the town as quiet as it ordinarily is on the Friday?—On my oath it was no such thing.

2083. Did you attempt to go to the poll?—No.

2084. Did you go out on the Friday?—No.

2085. Not from morning to evening?—I went out after the close.

2086. During the poll you never went out?—I believe not during the day.

2087. Were you out on the Thursday?—I cannot say; I do not think I was.

2088. Had you your shop open all Friday?—I had.

2089. Had you your shop open all Thursday?—Yes.

2090. As to this meeting; I believe you are pretty well known in the town, are you not, to all the inhabitants?—Yes.

2091. How long have you lived there?—I have been living about 20 years there.

2092. You say you attended this meeting on the Tuesday; how many speeches did you hear made?—I heard Mr. Thomas M'Cann; I heard three or four priests speaking out of the four or five who were in it; I heard Mr. M'Kenna, and I heard a young man named M'Cabe. I do not recollect any more. Several times I had to shift my position, and stand in the shade of a doorway. On one occasion a man said to me, "There is another of the bloody Orange men who has pledged himself to vote for Moore."

2093. Was it dusk?—Yes.

2094. I believe the balcony from which they spoke is on the second floor, is it not?—The drawing-room floor.

2095. You were recognised several times, were you not?—Yes.

2096. Did you receive a scratch or a touch?—I was denounced as a bloody Orangeman.

2097. Answer the question; did you receive a scratch or a touch?—I did not.

2098. Were you a Repealer once?—No.

2099. Did you not vote for Mr. Murray, the Repeal candidate, in 1847?—I did not.

2100. Did you support him?—I did not.

2101. Did you vote for the Liberals in 1847?—I did not vote at all in 1847.

2102. Did you not vote for Sir William Somerville in 1847?—I did not; I did not vote at all.

2103. Did you act for Mr. Murray, and take an active part for him?—No.

2104. Did you take any part for him?—I might have been with a couple of his committee; I might have been with them; I took no part for him.

2105. But you might have been on his committee?—No; I say I might have been with a couple of his committee, and I might have been taking a glass of punch with them.

2106. Did you not fetch a man named Trainer out of bed to vote for Murray?—I did not.

2107. Did you fetch him to vote?—No, I did not.

2108. How long do you think you were at this meeting on the Tuesday altogether; you seem to have heard four or five speeches?—If you call them speeches.

2109. What would you call them; orations?—I scarcely know by what term to describe some of them.

2110. You take a very warm interest in the matter, do you not?—I can scarcely say I do; I have been brought here on a subpœna, and I would certainly have wished it was otherwise, and I had been left at home.

 2111. How

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2111. How long did you stay at that meeting?—I should say I was backwards and forwards about two hours.

2112. Were you not there longer?—No.

2113. Were there any others of your friends there who heard the speeches with you?—There was.

2114. Who? Just mention the names of anybody that you recollect?—There was a gentleman named Galbraith.

2115. Who else?—But when I was denounced I had to shift my position, and I lost him; I then met another individual in the crowd.

2116. Who was that?—I met the Rev. Mr. Eccles.

2117. A Protestant clergyman?—He was; he was just passing through.

2118. You spoke of the language you heard used, "recreant," "miscreant," "supers;" did you ever hear any word as strong as the word "apostate" used?—I would say "a recreant miscreant" is as strong.

2119. You did not hear the word "apostate" used, did you?—I cannot say I did.

2120. Were not the observations of the speakers principally directed against those of the Catholics who were supporting Mr. Moore?—The observations which Father Hanratty made were directed principally against the Roman-catholic voters. Father Montague's observations were more general, denouncing everybody.

2121. Had Captain Moore's supporters any public meeting?—I would say they had not.

2122. Now as to the morning of the nomination; if I understand you right, first of all Captain Moore's friends and Mr. M'Cann's friends got into the court-house, and then there was a short interval, during which the crowd outside were excluded?—Yes.

2123. How long was it, do you think?—I would say about ten minutes; during that time Mr. M'Cann was roaring very lustily.

2124. Were the doors shut then?—No.

2125. How, then, were the people excluded?—By the police, in a circle round the door.

2126. During that time Mr. M'Cann's, Mr. Moore's, and Mr. Brodigan's supporters took their places on the platform, did they not?—Yes.

2127. And the body of the hall was clear?—Yes, comparatively clear.

2128. Were not the people outside very much excited by being kept out did they not roar, and halloa to get in?—Yes.

2129. Did not Mr. M'Cann say, "You are making matters worse by keeping the people out"?—I did not hear any such thing said.

2130. Who gave directions ultimately to let the people in?—I cannot say.

2131. Do you recollect the high sheriff giving directions to let them in?—I do not recollect it.

2132. There was full ten minutes, I think, between the period that you got in, and the time that the great body of the people got into the body of the hall?—I should say from five to ten minutes.

2133. Then they came in much excited, and with a great rush, did they not?—They were exceedingly excited, and came in with a very great rush.

2134. I believe these priests are all voters, are they not?—I do not know; I believe they were on Mr. M'Cann's committee.

2135. Could you distinguish the features of the people; we are told it was dusk, you know; are you quite sure that you attribute the right expressions to the right speakers?—I believe so.

2136. Are you quite sure of it?—These two particular priests.

2137. It was dusk, was it not?—Yes.

2138. In fact it was nearly dark, I suppose by the time you left?—Yes; but then there were lights from the gas and from the doors of public-houses.

2139. Do you mean to say you could see the features of the people in the balcony by the lights from the gas lamps and the doors of the public-houses?—Yes.

Re-examined by Mr. *Slade*.

2140. Were there lights in the room at their back besides?—I do not think any light came from the room.

2141. At

2141. At any rate was there sufficient light from the gas and doors of the public-houses, to enable you to say with positiveness, that the gentlemen to whom you have attributed these speeches, did really utter them?—Yes; any person that had a partial knowledge of them would swear distinctly to them.

2142. Are you able to swear distinctly to Father Hanratty and Father Montague?—Yes.

2143. You say Mr. M'Kenna and Mr. M'Cann you heard speak?—Yes.

2144. Which Mr. M'Cann was that?—Thomas M'Cann.

2145. Is that one of the gentlemen whose name appears as one of the committee of Mr. James M'Cann?—I do not know; his remarks were not very complimentary to Captain Moore; he stated, "Look at the man; he wants to make laws to shackle your religion and starve yourselves; to feed you on lumpers, though it would seem that lumpers would be a considerable improvement on what he has been lately dieting on." Captain Moore is rather a spare looking gentleman.

2146. *Committee.*] What did he mean by lumpers?—Potatoes.

2147. Mr. *Slade.*] You said you put your shutters up twice?—I caused them to be put up.

2148. On the nomination day?—Yes.

2149. But not on the Thursday or Friday?—No.

2150. Why did you put up your shutters?—From the number of the mob that were drunk and exceedingly riotous in the street; I may also state that on Saturday, the evening of the declaration, a man, a neighbour of mine, of the name of Moore—

Mr. *Phinn* objected to the evidence.

Examined by the *Committee.*

2151. Do you say that when the doors were opened into the tolsey, it was from five to ten minutes before the mob were admitted?—I would say it was.

2152. Did you get in first?—I got in first.

2153. How many people do you suppose got in at first?—A considerable number.

2154. A hundred?—Scarcely a hundred; the court-house is not very large.

2155. Were there 50 people?—There were upwards of 50, I would say.

2156. Did all the three candidates get in?—They did.

2157. And their friends?—Yes.

2158. Did you see the high sheriff there?—I did.

2159. Did you see how he was treated?—I did.

2160. Was he roughly treated then?—He received part of what was thrown at the other gentlemen.

2161. Confine your attention to the time before the mob was admitted; when first the high sheriff got in, was he ill treated then?—I could not say he was then.

2162. I suppose the persons admitted at first were the principal people surrounding the doors?—They were; they were rather more respectable, because the police would not let any persons inside except they were apparently respectable.

2163. Were you near the high sheriff at the time?—I was; I was under the platform.

2164. Did you hear him give the order to open the doors to the mob?—I do not recollect that I did.

2165. Do you remember who gave the order?—There was a great deal of shouting to let in the people; "Let in the people;" and they were afterwards let in.

2166. Do you know who gave the order to let them in?—I cannot say.

2167. Mr. *Slade.*] Will the Committee be kind enough to ask whether there was any order at all given to let them in?—I did not hear any order given; I heard a good deal of shouting to let in the people.

2168. *Committee.*] Before the mob came in?—Yes, and inside.

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2169. You heard a great roaring at the door?—I cannot say I heard a great roaring outside the door, because the roaring inside attracted my attention more.

2170. Was there a great deal of confusion in the court-house before the mob was admitted?—No; it was nothing in comparison to what it was after.

2171. How was it you did not hear what passed?—From the shouting that there was to let in the people.

2172. On the outside?—Yes.

2173. Were there any police inside the court-house before the doors were opened?—Yes.

2174. The police came in at the same time as you did?—They came in and stood in the entrance.

2175. Of the court-house?—Yes.

2176. Before the mob were admitted?—Yes.

2177. At what hour was the court-house opened?—At 10 o'clock; not until Mr. M'Cann and his friends arrived.

2178. It was locked previous to that?—Yes.

2179. Do you know who opened the door?—I have heard since that the mayor had the key, and would not open the court-house till Mr. M'Cann had arrived.

2180. What number of people do you suppose were in the court-house?—I would say there were 20 inside the court-house.

2181. What was the place which was taken by the high sheriff when he opened the court and proceeded to business?—On the bench where the judge of assizes and the magistrates sit.

2182. Did he occupy the place in the centre?—Yes.

2183. Did you see him ill treated before he occupied that place?—I did not observe it; he might have been.

2184. When the first party was admitted into the court-house, was there a great rush?—There was a great rush to get in, and a good number succeeded in getting in, but it was only partial.

2185. Then the rest were excluded by a body of police at the door?—Up to the time that the mob were admitted.

2186. I am speaking of the time before the mob were admitted; the first party that was admitted into the court-house in which the high sheriff was, did they take their places at the upper part of the court-house?—I will explain; when you enter the court-house there is a side entrance that leads round by the gallery to the platform; a great number went in that direction; and there is another way to get on the platform; you could not see what happened to the party that went round by the gallery.

2187. Which line did you take?—The body of the court-house; the most direct way.

2188. Did you see the high sheriff take his place in the centre of the court? I did; I saw him when he was in it, but which line he took to get there I cannot tell.

2189. Did he appear to you at that time to have been attacked, or to be unable to perform his duties?—He was not unable to perform his duties; but he seemed excited from the manner in which they were getting in.

2190. Had he any police about him at that time?—Not at that time.

2191. Were there any police within range or within reach of him at that time?—There were police at the entrance of the court-house.

2192. Were there any police in the body of the court-house at that time?—I do not think there were.

2193. But at that time there was a body of police which was keeping out the mob?—Yes.

2194. And from five to ten minutes they did keep out the mob?—They did.

2195. Whereabouts did you stand?—On the witness table, just under the bench, as near to the high sheriff as I am to you (*referring to the Chairman*).

2196. Did you hear any person ask the sheriff, or call upon him, to admit a number of persons who were making a noise at the door?—I heard a great number of persons shouting to him, "Let in the people," among which was young Mr. M'Cann.

2197. Can

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2197. Can you recollect whether you heard the high sheriff give any order whatever?—I do not recollect hearing him give any order.

2198. Do you know who had the command of the police force on the day of the nomination?—I applied to Captain Cory on the evening previous to the nomination, and he told me he could not interfere; that the police were under the orders of the stipendiary magistrate.

2199. Did you apply by letter or by word of mouth?—By word of mouth on three occasions.

2200. Supposing in the court-house you had had occasion to appeal for the protection of the police, to whom should you have appealed?—I appealed to Captain Derenzy, but unsuccessfully, in both instances.

2201. Should you have appealed to the high sheriff?—I do not know.

2202. Was it your impression at that time that the high sheriff had the command of the police force?—Captain Cory told me they were under the orders of Captain Derenzy.

2203. Mr. *Phinn.*] Did you hear the Queen's writ read?—The sub-sheriff had great difficulty in getting leave to read it.

2204. Answer the question; did you hear the Queen's writ read?—I heard them reading a document which was said to be the Queen's writ, but as to hearing what it was I could not.

2205. Mr. *Slade.*] Could you hear what was said?—No; I could not.

[The Witness withdrew.

Thomas Moore was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

T. Moore.

2206. ARE you a voter at Drogheda?—Yes.

2207. Were you residing at Drogheda at the time of the last election?—I was.

2208. Do you carry on trade there?—I do.

2209. What are you?—I am a Miller, and a dealer in flour and meal.

2210. Are you a Protestant?—I am also a dealer in coarse meal, and fine meal, and Indian meal, and all sorts of meal.

2211. Are you a Protestant?—I am not.

2212. At the last election were you canvassed by Mr. M'Cann's friends?—I was by some of them.

2213. Did you promise them?—I did not; I promised to Mr. Moore first.

2214. Did you afterwards promise to vote for Captain Moore?—I promised that I would vote for Captain Moore, and I would not break my word.

2215. Is that what you told Mr. M'Cann's friends when they came to you?—Yes.

2216. Did they come to you more than once?—Yes; more than ten times.

2217. But you still kept to your word?—Yes.

2218. Do you recollect at all the Tuesday before the election whether there was a meeting opposite the White Horse?—I was not there at all.

2219. But do you know it?—I do.

2220. Was there a crowd in the street that day?—There was.

2221. Did the mob pay you a visit?—They did; I was in Tom Kelly's, in Peter-street, that night.

2222. Where was your house?—My house is in Sharp-street, and I went up to the committee-room; that is about 40 perches off, or 30.

2223. I am speaking now of the evening of the Tuesday; I asked you whether the mob came to your house?—They did come to my house; but they did no harm that evening to my house.

2224. How did you prevent them?—I was above in the committee-room in Kelly's house.

2225. You say they came to your house on the Tuesday night?—They did.

2226. Were you there?—I was; but it was after 12 o'clock when they came there.

2227. Were you at home then?—I was.

2228. What did they do?—They kept breaking in the door, and I had to give them money to go away from the door.

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2229. Did they do injury to the door?—They did not; but my wife and children were crying, and she begged me to give them money.

2230. What did you give them to go away?—Three shillings.

2231. What number of people came to your house; was it a large mob?—About 12 or 13 persons at that hour of the night.

2232. Did it alarm you; were you frightened?—I was frightened at that hour of the night, and there was not a watchman in the street; why not be frightened?

2233-4. During the time that the canvass was going on on the Tuesday, Wednesday, and Thursday did people come to your shop at all to annoy you?—Wednesday was the day of the nomination. I could not stir a peg; no, I could not; I went up as far as the pump of the town.

2235. You did not go up to the nomination?—How could I? I went into the Tolsey; slipped in.

2236. How did you get out again?—I got out at the window at the side.

2237. How did you get out?—Out of the side window, and dropped down on the flag.

2238. You thought it was safer to be out, did you?—Certainly.

2239. Did people come to your shop while the canvassing was going on, to talk to you about your vote?—Yes.

2240. What did they say to you?—They said that they ought not to buy of "supers" meal, or of anyone who would vote for Moore.

2241. When was that?—The day of the nomination and the day of the poll.

2242. Did they come more than once?—More than twice.

2243. How many times did they come?—They came and put the people away from the shop, and left no dealings in the shop with the noise and talk.

2244. Did they come and interfere with your customers?—They did come and interfere with my customers.

2245. Did they drag the people out of your shop?—No, they did not drag them out of my shop, but they would not let them into the shop.

2246. How did they prevent your customers coming into the shop?—Would not a parcel of hired men do anything—hired drunkards?

2247. You said just now that they prevented your customers from coming into your shop?—So they did.

2248. How did they prevent them?—Why, one man being a Protestant or an orange man as he was called, and another a Catholic, and then they called me an "Orange Super Catholic," and no one was to buy of me.

2249. How many came to your shop?—I could not tell any more than I could tell how many there are now in this room.

2250. Did this happen on more than two days?—It did, and up to the Saturday evening, and one vagabond came down on the Saturday, and he got a shilling and plenty of whisky up street from the party. I know the party well enough.

2251. In consequence of these proceedings did you lay an information; did you swear?—I did not.

2252. Did you go to a magistrate to complain?—I did.

2253. Who was the magistrate to whom you went to complain?—I think I did, I am not sure.

2254. Do you recollect who the magistrate was that you went to?—I do not.

2255. Do you remember whether it was Dr. Atkinson that you went to?—I think so.

2256. When did you go to him to make a complaint?—That Saturday evening, I think so.

2257. *Committee.*] Do you mean to say you do not know the name of the magistrate to whom you went?—I know it now it comes into my head.

2258. Who was it?—Dr. Atkinson.

2259. Mr. *Hodges.*] Did your customers come to your shop during that week as they usually did?—They did not, nor for ten days afterwards, either.

2260. Can you tell the Committee what the falling off in your receipts was?—I can tell that it was only 27 *s.* one day when it used to be 30 *l.* and 40 *l.*

2261. *Committee.*] It used to be 30 *l.* and 40 *l.* in a day?—Yes.

2262. Do you mean that there was the difference between 27 *s.* and 40 *l.* in a day?—No; from 20 *l.* to 30 *l.* in a day to 27 *s.*, that is what I mean.

2263. Each

2263. Each day?—Each day.

2264. Mr. *Hodges.*] You have a large trade then?—Yes.

2265. *Committee.*] Your daily receipts are about 30 *l.*?—No, some days it falls off, on a Monday, but then they pull up again.

2266. During the whole of this week they were 27 *s.* instead of 20 *l.* or 30 *l.* or 40 *l.*?—Yes.

2267. Mr. *Hodges.*] You recollect Captain Moore retiring?—I do.

2268. After he retired who did you intend to vote for?—I intended to vote for no one.

2269. Did you vote at the election?—I did.

2270. Who did you vote for?—For Mr. M'Cann.

2271. And why did you vote for Mr. M'Cann?—I had to vote, I was coerced to it and dragged to it; I took shelter and then was got out of that, and had to go again; I did not want to vote at all.

2272. I do not know whether you went to the meeting; the large meeting at the White Horse on the Tuesday or Wednesday?—I never did.

2273. When you voted for Mr. M'Cann did you go up to vote by yourself, or did persons come to take you up?—They did.

2274. How many?—Ten or 12; 15; I do not know how many; I went away with them to "pacify the peace."

2275. Were any of the priests of that party?—No, they were not.

2276. Then what you represent is, that you did it from intimidation?—Yes.

Cross-examined by Mr. *Power.*

2277. Who intimidated you?—The mob intimidated me.

2278. Do you mean to say, that you, a gentleman receiving about 30 *l.* a day, were intimidated into giving your vote for Mr. M'Cann?—Because I would not give it to him regularly and free.

2279. Give us the name of any single person who compelled you to vote for Mr. M'Cann?—I will.

2280. Who took you up to poll against your will as you say?—I forget his name; I do not recollect his name; but I know three or four.

2281. *Committee.*] But you must give us their names if you wish us to believe what you tell us; now give us the names of any you please?—I cannot think of his name.

2282. Mr. *Power.*] You have told the Committee that you make 30 *l.* a day?—On an average I say I sell that much a day; but I do not make it; I sell it for nothing sometimes.

2283. Do you pay the income tax?—How can I pay income tax for Indian meal.

2284. Do you pay any income tax on the profits you make in your business?—I do not.

2285. You not paying any income tax upon the profits you make by your business, do you mean to adhere to the statement you have made that your returns are 30 *l.* a day?—Yes; and you would not earn enough if you were a miller like me, buying corn at Liverpool, and having to bring it down and grind it and sell it at half-a-crown a ton; I am telling you the truth and the whole truth.

2286. When did you come to London?—On Wednesday.

2287. Where did you pass Wednesday night?—I do not know what the name of the man's house is; Dickey's hotel, I think.

2288. Did you not pass the greater part of that night in the station-house? I did not.

2289. Were you not found quite drunk in the streets at four o'clock in the morning?—On my solemn oath I never was caught drunk.

2290. Were you found?—I was found; it was in bed I was found.

2291. Do you mean to say you were not found in the streets?—I do.

2292. Not on the Thursday morning?—No.

2293. Do you mean to say that you have not been found in the streets drunk since you have been in London?—I was not.

2294. Either on Wednesday night, or Thursday night, or Friday morning?—No.

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2295. What have you been breakfasting on this morning?—A little bit of a chop.

2296. And any whisky?—I have not; for I could not get it in London.

2297. What did you take instead of whisky this morning?—I took two cups of good tea first and then half of the chop.

2298. Well?—And I took half a glass of rum before I came into this house.

2299. What else?—Nothing else.

2300. No gin at all?—No; two drinks of water.

2301. You say you went to a Doctor Atkinson. Have you not boasted in several public-houses since then that you were coming up to London to give evidence on the petition, and that you would make 50 *l.* by your evidence?—I never did.

2302. Or anything like that?—Never; nor I would not wish, for 50 *l.*, to be here at all.

2303. Have you said anything about giving your evidence?—Never.

2304. During this election, you say you at last voted for Mr. M'Cann, did you receive the least injury, either yourself or anybody belonging to you?—All the injury I received was in trade. I will tell the truth.

Re-examined by Mr. *Hodges.*

2305. Can you tell me whether there were strangers in the town during the week while they were canvassing?—There were strangers in the town. I remember now; Stephen Johnson was the name of the man I was asked about. The others were strangers. There was a man called "Lively," too.

2306. Is that Patrick Lively?—No, indeed, it is not. It is a nick-name.

2307. *Committee.*] Were these persons, whoever they were, inhabitants of Drogheda, or were they strangers?—These parties whose names I have mentioned, was parties in Drogheda, but the other parties I do not know.

2308. Mr. *Hodges.*] You say one of the men is called "Lively?"—Yes; that is not his real name it is only a nickname.

2309. Do you know what his real name is?—I do not.

2310. And the others were strangers to you, were they?—Yes.

Examined by the *Committee.*

2311. You have said that certain persons forced you to the poll?—Yes.

2312. What did they say to you?—They said I was to vote for Mr. M'Cann.

2313. Did they use any threats?—They did.

2314. Of what sort?—They dragged me through the street.

2315. Were you in bodily fear?—I was in bodily fear, and doubly in bodily fear.

[The Witness withdrew.

Richard Cooney was called in; and, having been sworn, was Examined by Mr. *Hodges,* as follows:

R. Cooney.

2316. DO you reside at Drogheda?—I do.

2317. Are you one of the electors there?—I am.

2318. *Committee.*] What is your business?—A master Boot and Shoemaker.

2319. Mr. *Hodges.*] Who did you promise to vote for?—I was employed as an agent for Mr. Brodigan.

2320. Mr. *Power.*] Were you in the room a considerable portion of yesterday?—No, I was looking out of the window.

2321. Were you not in the room?—I was in the first proceeding. There was a word or two that I heard; it was ignorance on my part.

2322. *Committee.*] Did you not know that the witnesses were ordered not to come into the room?—No; and I did not read any evidence. The door was open, and I came in, and was looking out at the window.

2323. When did you come in yesterday?—In the very first instance.

2324. And

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2324. And when did you leave?—In about three or four minutes. My head was out of the window, and I did not hear the proceedings; I was looking at the boats; and a similar circumstance occurred to me to-day. I did not know that the Committee had met, but Mr. Mayne touched me on the shoulder, and told me the Committee was sitting.

2325. Mr. *Hodges.*] Did you hear anything that was going on?—I heard but one word.

2326. *Committee.*] Who was the counsel examining when you were in the room?—The cross-examination had commenced at the time.

2327. You were here during the time of the cross-examination?—I heard but a few of the words.

Mr. *Power* submitted that, according to the preliminary Resolutions passed by the Committee, the witness having been in the room during the proceedings, could not now be examined.

2328. *Committee.*] Did you come in yesterday at the time the proceedings began?—They were on.

2329. How long were you in the room?—About four minutes; and part of the time I had my head and shoulders out of the window.

Mr. *Hodges* was heard against the objection of Mr. Power.

The *Committee* determined not to allow this witness to be examined.

[The Witness withdrew.

Thomas Hammond, Esq. was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

T. Hammond, Esq.

2330. DO you reside at Drogheda?—I have a house in the neighbourhood of Drogheda; I principally live in Dublin.

2331. About how far is your house from Drogheda?—About two miles and a half.

2332. How long have you resided at that house?—I built it; I have resided in it more than 20 years.

2333. Are you an elector for the borough of Drogheda?—I am.

2334. I believe you are a Roman-catholic?—I am; I have that honour.

2335. You have served the office of Mayor of Drogheda once or twice, have you not?—Once, in 1855.

2336. Previous to the last election had you supported the Liberal politics of the borough?—Yes, at all times.

2337. At the last election were you prepared to support Mr. M'Cann, or not?—I was not; I was canvassed by Mr. M'Cann, and I told him I would not support him.

2338. You would not vote for him on public grounds?—On public grounds; I did not approve of Mr. M'Cann's public conduct; and on that ground alone I felt it my duty to oppose him.

2339. Were you afterwards canvassed for Captain Moore?—I cannot say that I was canvassed.

2340. Did you intend to support Captain Moore?—I did.

2341. Did you go from Drogheda to Dublin on the 30th of March?—I did; I came down by the 10 o'clock train, I think, on the Monday.

2342. That was on the Monday?—That was on the Monday.

2343. About what o'clock did you arrive at Drogheda on that day?—About 12.

2344. Was the town tranquil at that time?—The town appeared to me to be perfectly tranquil on the Monday; there was no excitement whatever.

2345. Did you see Mr. St. George Smith, with other friends of Captain Moore, canvassing during the Monday?—I did; I saw Mr. St. George Smith and Mr. Moore canvassing in West-street; I saw them going from one house to another, and I thought they were well received. Mr. Moore was cheered as he went along.

2346. I think you said he appeared to you to be well received?—He appeared to me to be well received.

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2347. There was no sign of any disturbance then?—None whatever that I could see.

2348. Did you return to Dublin that same evening?—I did; I returned to Dublin.

2349. Did you go to Drogheda again the following morning, the Tuesday?—I did; I came down by the early train on the Tuesday; I was in Drogheda about 10 o'clock.

2350. In what state did you find the town then?—I found the town considerably changed from its appearance on the evening before; everything appeared to be in a state of great excitement and great confusion, and in my passage up the town I was assailed by hisses and abuse from several persons I met in my way.

2351. Did you see Captain Moore's committee-room; the neighbourhood of it?—I did.

2352. What was the state of things there?—There was a large crowd convenient to it, and another crowd on the opposite side of the street, where Mr. Brodigan had his committee-room.

2353. What were the crowds doing there?—They were hooting and making a noise. I could not say exactly what they were doing; there seemed to be great excitement in the town, and an active canvass, as I considered, going on.

2354. Did you see a gentleman named Rowland, a person you know?—Not on that day.

2355. *Committee.*] You are now speaking of the Tuesday?—That was on the Tuesday. I was standing in Sharp-street; I was accosted by a reverend gentleman named Hughes, an acquaintance of mine; he came over and shook hands with me. There were several people standing about; and he appeared to become a little excited, and he said, "Are you going to support this fellow against M'Cann? if you do, I will shake off the dust of my feet against you; that will bring you down to perdition;" either "perdition" or "destruction;" I cannot tell which term was used.

2356. Is he a Roman-catholic gentleman?—A Roman-catholic priest.

2357. Did he leave you?—He passed down Sharp-street. I felt thoroughly petrified and astonished to hear the expression; I was pained to hear it, and am greatly pained to have to state it now.

2358. Did the crowd still continue in the streets after that?—The crowd still continued in the streets; and on the evening of Tuesday before I left for Dublin, I heard a great clamour and noise at the White Horse Hotel, and I could hear distinctly, at least, when I say distinctly, I could hear distinctly the voices, but could not distinguish the persons speaking to the people.

2359. That was a large assembly, was it?—I saw the assembly; a portion of it; but I was too distant from it to recognise the parties. I have reason to believe who they were, but I did not see them myself.

2360. Did you return again to Dublin?—Yes.

2361. On the Tuesday night?—Yes.

2362. Did you come down the following morning?—Yes; that was the day of the nomination.

2363. On your arrival on the Wednesday, did you see Mr. Verdon, the sub-sheriff?—I did not, but I drove directly to his house. The tumult was terrible. I was attacked in every direction; there was a great clamour, and I was very anxious to get in somewhere. I could not enter the court-house.

2364. Were you in a carriage?—I was in a car from the railway station.

2365. Did anything happen to you?—I was abused, and called every kind of foul name. I got in there, and on my arrival at the sub-sheriff's I was waited on by Mr. Cory, sub-inspector of police, and he stated to me, "Do not attempt," said he, "to go to the Tolsey, for if you do your life will be sacrificed; if you wish to go over I will send an escort of police to bring you over; but do not attempt to go otherwise."

2366. What did you say to that?—I said I had no fancy to be brought to the court-house to exercise my franchise as a criminal, and I would not go.

2367. Where did you remain while the proceedings were going on?—I remained in the sub-sheriff's for a length of time, some two hours or more; three hours I should say; and when the great body of the people that was there in the neighbourhood of the court-house dispersed themselves through the town in other directions I came out; of course when I made my appearance

I was

I was attacked as on the former occasion; but I got over as far as the Tolsey; there appeared not to be a great many people outside then; there was a large crowd, and great confusion in Peter-street, at Mr. Moore's tally-room, and another crowd on the opposite side; I saw them attacking and abusing everybody that attempted to go near either the committee-room of Captain Moore or of Mr. Brodigan, but particularly that of Captain Moore. I saw a gentleman coming down Peter-street, Mr. Rowland, a linen manufacturer, and I saw him stricken down by the people; whether he was tripped up or knocked down I cannot say; I saw him lying, and I saw him make an effert to get up; there was a crowd around him, and I saw him knocked down again; and ultimately he got upon his feet, and got through his assailants, up Lander-street, to his own residence. On that particular occasion there was a circumstance occurred which perhaps I should state to the Committee: I saw Mr. M'Cann standing on the steps of the court-house, and, pointing in the direction where I saw this assault committed upon this elector, I said, "Is that freedom of election?" directing my discourse to Mr. M'Cann; I do not recollect that he made any observation, or if he did, I did not hear him; but I thought it my duty, as he was the popular candidate, to point his attention to the circumstances that were then going on.

2368. Do you remember being at the sub-sheriff's door when Captain Derenzy was there?—Perfectly.

2369. About what hour was that on this Wednesday?—I think it was something between five and six o'clock; I cannot be very particular as to the hour; and on that occasion the sub-sheriff's house was perfectly surrounded by a furious rabble; every kind of filth from the street was thrown in, and I was hit and covered over; every time I made my appearance to come near the door I was attacked in the same kind of way; Mr. Derenzy was standing convenient to me, and I know he got a portion of the filth and the missiles that were flung at us; and on that occasion I called his attention to what was going on, and I said, "Is there no protection? are these people to act in this way in sight of the police, and is there no protection for an elector?" Captain Derenzy was hit himself with the mud, but I got no protection.

2370. In the course of that same evening, when you were at the sub-sheriff's, did you receive a note from anybody?—I received a letter from Mr. Brodigan, one of the candidates.

2371. Have you that letter here?—I have; it is a private correspondence, and there is only one passage in the letter which has reference to the state of turmoil in the town.

Mr. *Hodges* proposed to read a portion of the letter.

Mr. *Power* submitted that the letter was inadmissible.

Mr. *Hodges* was heard against the objection.

The *Committee* determined that the letter should not be read.

2372. I asked you just now whether you received a letter while you were in the house from Mr. Brodigan; you say you did, and that you have that letter here?—Yes.

2373. Having received that letter, did you take any steps for the purpose of carrying into effect the purport of it?——

Mr. *Power* objected to the question.

The question was waived.

2374. Having received that letter, did you take any steps in consequence of it?—On receiving the letter from Mr. Brodigan I felt myself not in a position to comply with his request; that is, to go to see him at the White Horse Hotel; I was in perfect durance myself, and could not go out.

2375. State, if you please, to the Committee how it was that you were in perfect durance yourself?—The violence of the mob outside, and the threats made against any person opposing Mr. M'Cann, were of such a character that I dreaded personal violence; and I am confident that personal violence would have been inflicted on me if I had gone out; in consequence I sent for Mr. Derenzy, the stipendiary magistrate, and I told him that Mr. Brodigan wanted protection; that he wanted to see me; that I could not go to him nor could he

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come to me; and I called on him for police, for protection to get him from the hotel to the sub-sheriff's, and after some hesitation; he was unwilling at first to do it ——

2376. *Committee.*] Who was?—Mr. Derenzy, but he ultimately sent (as I understood, but I did not see them) some policemen, who went over and guarded Mr. Brodigan from the hotel to the sub-sheriff's.

2377. Mr. *Hodges.*] How long did this state of confusion continue opposite the house where you were, the sub-sheriff's?—It continued the whole evening; there was nothing but violence as long as I remained in the town; I was anxious to get home to Dublin; I was afraid to go out, and I ultimately got into a covered vehicle, and went to the railway.

2378. Was tumult still going on?—An awful state of tumult, decidedly; as awful a state of tumult as ever I saw.

2379. From what you saw of the state of the town at that time, do you think that Captain Moore's voters would have been safe if he had attempted to go on with the contest?—My firm belief is, that they could not with safety exercise their franchise; I can most certainly say for myself, that I should not have ventured to do it.

2380. Did you intend to come down to Drogheda the day of the polling for the purpose of voting?—I did.

2381. What happened to prevent you?—I got a telegraphic message from the sub-sheriff, who happens to be my son-in-law, to say I should not come down; I intended to come to vote for Mr. Brodigan.

2382. In consequence of a communication you received from your son-in-law, the sub-sheriff, you did not go?—I did not.

2383. Are you well acquainted with the constituency of Drogheda?—Yes; I think I ought to know them tolerably well, after a residence all my life there.

2384. What do you think of Captain Moore's prospects if he had been able to go to the poll?—My opinion is, from what I saw, that Captain Moore would have succeeded if there had not been intimidation and riot.

Cross-examined by Mr. *Power.*

2385. Did not Mr. M'Cann poll twenty-five more than half of the whole number of registered electors?—That may be.

2386. Did he not?—I do not know of my own knowledge.

2387. When you speak of the elements of success that Mr. Moore had, do you not know that Mr. M'Cann polled twenty-five more than half the number of registered electors?—Indeed I do not know it of my own knowledge; I believe it is the case, but I do not know it of my knowledge; I know this, that a number of men voted for him who had promised to vote for Mr. Moore, and who would not have voted for Mr. M'Cann if they had not been coerced.

2388. Will you tell me, besides yourself, how many influential Roman-catholics there were in Drogheda who supported Mr. Moore?—I cannot tell you the exact number; I do not think there were many, but I know there were a great many who I heard say would vote against Mr. M'Cann.

2389. Out of the 649 people who were upon the register, are there not above 430 who are Roman-catholics?—I cannot answer that question.

2390. How came you to tell my friend then what Captain Moore's chances of success were?—It is not by the number of Roman-catholics or Protestants that it is regulated; many persons, though Roman-catholics, might vote for Mr. Moore, or for anybody else they thought proper.

2391. I only put that to you as one element?—I cannot see it in that light at all.

2392. I believe you applied to enter the commission of the peace?—Never.

2393. Did you not?—No.

2394. Did anybody on your behalf?—I believe they did.

2395. I will not go into the grounds; but did not Mr. M'Cann, on private grounds, oppose that?—I do not know it of my own knowledge.

2396. Have you ever heard that he did?—I think I have so, but I do not know it of my own knowledge.

2397. You have told my friend that you intended to come to Drogheda to vote on the Friday?—I did.

2398. At the time when you had the intention to come to vote on the Friday you were aware, were you not, of all that had taken place at the nomination?—Perfectly.

2399. Notwithstanding all that you had been aware of on the Tuesday, Wednesday, and Thursday, you had intended, unless you had been prevented by this telegraphic message, to go to Drogheda?—Yes.

2400. And to vote?—Yes; but I was aware of this also: that on the withdrawal of Mr. Moore from the contest all the violence ceased, and the efforts that had been made to get up this tumult were then used to keep it down, because the object was effected.

2401. Immediately on Mr. Moore's withdrawal the tumult ceased?—Not immediately; it took a good deal of the elements of persuasion to put down the storm which had been raised.

2402. Captain Moore resigned on the Wednesday evening, did he not?—Yes.

2403. On the Thursday and Friday was not Drogheda perfectly tranquil?—I do not know; I was not there; but I have heard it was.

2404. Who is this Rev. Mr. Hughes of whom you have spoken?—He was formerly a curate in the parish of Drogheda.

2405. Does he reside in or near Drogheda now?—He does.

2406. Has he any connexion at all with Drogheda?—I am not aware of any connexion that he has with it.

2407. Or with Mr. M'Cann?—I cannot tell about his connexion with Mr. M'Cann. I know that he has influence in Drogheda from his long residence in it.

Re-examined by Mr. *Slade*.

2408. I suppose Mr. M'Cann and his party do not profess to have the whole sudy of Roman-catholics on their side?—I think it would be a very monstrous supposition if they do.

2409. But that is their line of argument, according to my learned friend; your experience teaches you the contrary?—Yes.

2410. And that there are several Roman-catholics, as well those of importance and influence as others, who are opposed to Mr. M'Cann on political grounds?—No doubt that is the fact.

2411. Do you believe, from what you witnessed, that they were deterred from exercising their franchise properly, and from acting on their opinions, by the scenes of violence and intimidation which occurred in the streets of Drogheda?—I have not the slightest doubt upon the subject; they all admit they have been intimidated, unquestionably.

2412. In your opinion, were any of these Catholics coerced into voting for Mr. M'Cann?—I have heard they were; I do not know it of my own knowledge; some of them have expressed themselves so to me; that they had voted contrary to their wish, and that they voted merely to protect themselves from the violence that was apparently exercised against them.

2413. Upon what do you found your opinion that the same influence was used to allay the tumult after Mr. Moore's retirement as was had recourse to to excite it previous to his retirement?—On that subject I can only say what I have heard; that endeavours were made by clergymen and others to allay the ferment. I did not see it practised myself, but I heard it.

Examined by the *Committee*.

2414. You say that you applied to Mr. Derenzy for protection?—I did.

2415. You applied to him, in fact, twice?—I did.

2416. And he gave you no protection?—On the first occasion he gave me no protection. I could not come near the door. I was assailed in a similar manner, and he looked on quietly; he saw these ruffians, and he might have cleared them away if he had thought proper, but he did not do so. On the second occasion I applied to him to send protection to Mr. Brodigan, and he did send protection to him, and brought him over.

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2417. Did Mr. Derenzy give you any reason on the first occasion why he could not give you protection?—No, he gave me no answer; he seemed to take the thing very quietly; though he was suffering himself he said nothing. I know it was very easy to prevent the tumult that was made; if any effort had been made there was sufficient force for the purpose.

2418. Did he refer you to any superior authority?—No.

2419. Did he say anything that implied that he had no authority to stop the rioting?—No; I know of my own knowledge that the entire authority was vested in him by the sheriff; I know he had the authority of the high sheriff in the town exclusively.

2420. Do you think that if the force at hand had been properly used there would have been any danger, from what you saw?—I have no doubt that a great deal of the tumult might have been quieted if the authority had been exercised in a proper manner.

Cross-examined by Mr. *Power*.

2421. Are you a subscriber to this petition?—I am, and I felt it my duty to be so. I think it is an imperative duty on any man who loves liberty to take means to protect and encourage men to exercise their elective franchise without assault. That is my object, and I have no other object in subscribing to it.

2422. Mr. *Slade*.] Yours is not a very large subscription, I believe?—No.

[The Witness withdrew.

Edward Atkinson, Esquire, M.D., was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

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2423. ARE you a Magistrate of Drogheda?—Yes.

2424. And a voter?—Yes.

2425. Have you been long a resident in Drogheda?—About 34 years.

2426. In what street do you dwell?—In West-street.

2427. That is where Mr. Verdon also dwells?—Yes, he also dwells in the same street.

2428. Are you intimately acquainted with constituency of Drogheda?—Yes, I am.

2429. Did you go over the lists with Mr. Jordan and Mr. Mayne?—I did.

2430. With reference to the prospects of success which Captain Moore had? Yes, with that object.

2431. When was that?—A few days before the election; about three days first, and then we went over a second time the day before the nomination.

2432. That would probably be on the Saturday and the Tuesday?—We went over them certainly on the Tuesday, for we remained up to two o'clock on the Wednesday morning; I cannot exactly say what the first day was.

2433. Now we will come as near as we can to the nomination day; what was the result?—The result of that was to satisfy my mind that Captain Moore would have a majority of between 50 and 60.

2434. Were you an eye or an ear-witness to anything that took place from the balcony of the hotel which was used as the committee-room of Mr. M'Cann?—No; I never either heard anything nor saw the mob at all there; I may state that I was almost constantly confined in the committee-room attending to the arrangements for the election; I was one of Mr. Moore's committee.

2435. Were any representations made to you with reference to anything that had been going on there? I do not wish you to tell us what it was; merely yes or no; my friend may ask you if he likes?—Yes, several.

2436. Did you accompany Captain Moore to the Tolsey on the nomination day?—I did not.

2437. You remained in the committee-room?—My health was bad at the time; I was afraid to encounter the turmoil and rioting I expected that there would be there, from the temper of the people in the town.

2438. Was

2438. Was that with reference to what you saw or what you heard?—With reference to both what I saw and heard.

2439. Did what you saw agree with what you had heard?—Yes; I was witness to a very violent attack upon Mr. Moore's committee-room.

2440. When was that; the night before the nomination?—That was the night before the nomination.

2441. When you were there?—I was there with several other gentlemen on the committee, and the hall door was forced by the mob, and they succeeded in getting as far as the foot of the stairs, when we were obliged all to turn out and use our best efforts to get them out.

2442. Which you succeeded in doing?—We succeeded after a severe struggle in doing it; and then the mob attacked the house, smashed the windows with large stones, and then discontinued for some time. Mr. Jordan and myself then wrote an order to the sub-inspector of police, desiring him to bring a force to protect the house; we were obliged to send a messenger with that order over a wall, into an adjoining yard of a house that opened into West-street, and thus the messenger escaped the violence of the mob outside; we waited for some time in expectation that protection would arrive, and none came; the mob continued to smash the house, and then I resolved at considerable risk, with Mr. Mayne, to go out and endeavour to obtain protection.

2443. You, as a magistrate?—I, as a magistrate.

2444. Where were the police?—We went out, and the police were a few perches down from the house, a very large force.

2445. Allowing all this?—Allowing all this. I asked for the inspector in command, and a young man came forward, and said he was the person. I said I am a magistrate of the borough, and I call upon you to give me a force to protect that house that you see destroying; he said, "I will not obey the orders of any person but the stipendary magistrate." I then told him again that I was a magistrate, and that I would report his conduct to the Castle, and I turned and went off; and in a few minutes I saw, I believe by the order of Captain Derenzy, a force going up towards the place, and driving off the mob.

2446. This was on the night before the nomination?—On the night before the nomination, as far as my memory serves me, about 10 o'clock; between 9 and 10 o'clock.

2447. You say you remained in the committee-room on the day of the nomination; do you remember Captain Moore and his party returning from the nomination?—Yes; Captain Moore and his party returned from the nomination, and we then went over the register.

2448. Was anything stated to you by any of the party as to what had taken place in the Tolsey House?—Yes; they gave me a detail of the scene, the turbulence and violence that there was, and I saw Mr. Jordan with very visible marks of what he had gone through.

2449. Did you observe marks upon the coats and persons of those gentlemen which corroborated their statement?—I did.

2450. You were going on to state something?—The committee assembled, and Mr. Jordan and I made our report of our second revision of the burgess roll or voters' roll, with such additional information as we had obtained from the previous one, and after knocking off some votes, which Mr. St. George Smith, the chairman, wished to have done, we had a clear majority of upwards of 40, and then the question arose, should we attempt to go on in the then dreadful excitement; and although the committee were unanimous in the conviction that Captain Moore must succeed if adequate protection was afforded, Mr. St. George Smith and a majority of the committee said that he could only succeed by the loss of life, and that they would not persist under those circumstances. Mr. Smith said he could never appear in the town again if he went on, and if lives were lost. Mr. Jordan and myself were for going on even at that risk; but the majority of the committee decided the contrary.

2451. Although you were, with Mr. Jordan, of opinion that Mr. Moore might have gone on even at that risk, do you think the majority were justified in the opinion they formed that loss of life would have been the result?—I do, and I am now very glad that the majority decided against me.

2452. Thereupon I suppose the address was prepared and issued, in which Captain Moore announced his intention to retire, and his reasons for so doing?—Yes,

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—Yes, and a letter was written to Mr. M'Cann by Captain Moore, announcing to him his determination to retire, for the reasons that would be stated in that address; the letter stated that he withdrew, and that his reasons for so doing would appear in an address to be published the next morning, as well as my memory serves me, or in a short time.

2453. Is that the address (*showing the Witness a printed placard*)?—Yes.

[*The following Placard was put in:*]

To the Independent Electors of Drogheda.—Gentleman, The scenes which have taken place in this town for the last few days are such as to cause every lover of freedom to mourn. Ministers of religion, forgetful of their high and holy calling, have given utterance to sentiments of the most reprehensible nature; while men that should be respectable have addressed the population in language of the most inflammatory character, calculated to arouse the worst passions, and to engender unchristian feelings between man and man.

The committee for conducting the election of Captain Moore, although perfectly satisfied of his success (had not brutal violence and intimidation been practised to an extent seldom equalled), still feel it their duty to advise his retirement, rather than incur the responsibility of involving the town in the deplorable consequences of a contest, in which the worst passions might be evoked by a repetition of the disgraceful language lately addressed to the public.

Captain Moore's committee return their grateful thanks to the independent electors of Drogheda for the manly and zealous manner in which they have come forward on this occasion. By order, *St. George Smith*, Chairman of Committee. Drogheda, April 1st, 1857.

2454. *Committee.*] Is that address which is now shown to you the address which was issued upon the commitee determining that Captain Moore should retire?—It is, and we felt it our duty to apprise Mr. M'Cann immediately on our determining that Captain Moore should retire.

2455. Did you state on that occasion why he did retire?—Captain Moore stated in his letter that the reasons for his retiring would appear in an address to be published.

2456. Mr. *Slade.*] You have told me you were a voter?—Yes.

2457. Do you know of your own knowledge anybody who was deterred by this conduct?—I know many persons that would have voted for Captain Moore, and who afterwards voted for Mr. M'Cann through fear. I may name one case, a very old and respectable gentleman, Colonel Fairclough, a man of Conservative principles all his life; he was on Captain Moore's committee, and he voted for Mr. M'Cann, and he afterwards told me that he was attacked on his way either to or from the railway, I know not which, by a mob of persons, who knocked him about. He is an old feeble man, and he said, "I have to go that way several times to get to my country residence, and I voted to protect myself from such attacks again."

2458. Did you yourself witness any attacks besides what you have stated with reference to the committee-room in West-street, on the evening of Tuesday; did you witness any other acts of violence?—Nothing else than the destruction of the glass, and so on.

2459. Do you know a gentleman named M'Ghee?—I do; he was conducting agent to Mr. Brodigan.

2460. Did you see anything done to him?—No; but I afterwards saw him in his own house.

2461. In what state was he?—He was in a most pitiable state; his right arm at the wrist was swollen to at least twice its natural size; he had several severe contusions over his body; he has a lame leg, entirely a cripple; that lame leg was dreadfully bruised, and probably the Committee will form some idea of the extent of the injury when I tell them that in six weeks afterwards I went, as a magistrate, to witness his execution of a power of attorney to receive dividends. He was then unable to write his name with that hand.

2462. You say that Colonel Fairclough was apprehensive of personal violence going to and fro to his country house if he did not vote for Mr. M'Cann?—He stated that that was the reason why he did vote for Mr. M'Cann.

2463. Do you know of other cases in which voters voted for Mr. M'Cann for fear of losing custom if they did not?—Some of the voters who voted for Mr. M'Cann told me so.

2464. Do you know of your own knowledge that they vote for Mr. M'Cann from fear of losing custom?—They told me so, and the impression on my mind is that they did.

2465. Mr. *Slade.*] Did any voter tell you, shortly before or shortly after voting, that he voted for Mr. M'Cann from the fear of losing custom?—

Mr. *Power* objected to the question.

Mr. *Slade* was heard against the objection.

The *Committee* decided in favour of the objection.

Cross-examined by Mr. *Power.*

2466. I believe you are a strong opponent of Mr. M'Cann's?—If you speak as a political opponent, I was.

2467. Your personal feeling is not very kind towards him?—I have no unkind personal feeling towards him.

2468. You were a candidate for the mayoralty, and did not get it?—I was a candidate, and had a majority of votes pledged to me; and Mr. M'Cann interfered, and got a man to break his promise, and I was defeated by a majority of one.

2469. You were on Mr. Moore's committee?—I was.

2470. And you went through the register and the canvass?—No; I went through the register.

2471. Have you not got that register here?—No.

2472. As you were coming to give evidence of the result of the canvass, why did you not bring the register to show what was the result you expected?—I did not know anything of it.

2473. Where is the register that you had in the committee-room by which you made up the number?—I do not know; I presume Mr. Mayne has it.

2474. Was it marked?—There were certain marks on it by which we indicated the parties to vote.

2475. Give me the numbers that you considered would vote for Mr. Moore?—I think 648 was the gross number on the register; but a good number of those persons had died, or left, and there were some double entries, reducing the number somewhat.

2476. How many?—I should say there were 10 or 12.

2477. What is the total number on the register you made out available as voters for Captain Moore?—I could not tell at the present time.

2478. Do you not know that out of the 633, taking off the 10, Mr. M'Cann polled at the election 350?—I heard he did.

2479. Can you give the names to the committee, or show how you made out that you would have been 50 ahead?—We went over the register very carefully after the canvass; before the canvass was fully carried out, and after it was.

2480. Did you mark the register?—Yes; we put marks to enable us, when we came to an individual we knew would support Mr. Moore, I think, for the word "for" they put the letter "f," and when the word was "against" they put "a."

2481. Where is that register which you so marked?—I do not know.

2482. When did you do it?—On the night before the nomination.

2483. Who had that register last?—I do not know.

2484. Did you make any inquiries about it before you came here?—None.

2485. Did you know you were going to be asked about the chances of Mr. Moore's success?—I knew this morning that I should be asked upon that point, but not till this morning.

2486. Was not your evidence taken at Drogheda?—No.

2487. Were you in communication with the local agent at Drogheda?—I was.

2488. Have you not been constantly in communication with him in reference to this petition?—Not constantly.

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2489. Are you a contributor to the expenses of this petition?—I am; I was desirous, if possible, to retain the freedom of election and my rights as a British subject, and that was my reason, and my only reason, for contributing.

2490. You have been examining into these 350; tell the Committee whether you have gone through any calculation, or can show names of any persons who voted for Mr. M'Cann who promised Mr. Moore?—I can; there are many.

2491. Give me the names?—I looked over the poll-books to-day, and I think, as far as my judgment would go, there are from 56 to 58.

2492. Have you a list of them?—I made an extract from the poll-books.

2493. Give me a list of those who you say had promised Mr. Moore, and since that have voted for Mr. M'Cann?—John Rowland.

2094. Is he here?—Not that I am aware of. Thomas Verdon, he promised myself to vote for Mr. Moore.

2495. Is he here?—No, not that I know of.

2496. *Committee.*] Are the names of the persons you now read, the names of persons who promised Mr. Moore and voted for Mr. M'Cann?—some of the persons are persons who promised me to vote for Captain Moore, and others are people I knew from their political feelings, would have voted for him.

2497. Did they subsequently vote for Mr. M'Cann?—Yes; Mr. Rowland was very soundly beaten in the public streets, and then he voted for Mr. M'Cann. He was beaten before Mr. Moore's retirement in the public streets, and after Mr. Moore's retirement he voted for Mr. M'Cann.

2498. Is Verdon here?—Not to my knowledge.

2499. Is it Thomas Verdon or Nicholas Verdon?—Thomas Verdon.

2500. Go on?—John Usher.

2501. Is he here?—Not that I know of.

2502. Go on?—William Smith. John Shackleton did not promise me to vote for Mr. Moore, but I know he is a Conservative.

2503. Did you canvass him?—No.

2504. Do you know anybody who canvassed him?—I have heard that Mr. St. George Smith canvassed him. Patrick Rogers.

2505. Did you canvass him?—Yes.

2506. Did he promise you to vote for Mr. Moore?—He did.

2507. Is he here?—I do not know.

2508. Well?—John Owens.

2508*. Is he here?—Not that I know of. William Sully; John Stewart.

2509. Are they here, either of them?—No, not to my knowledge; John Stewart came all the way from the county of Donegal, more than 100 miles, to vote for Captain Moore.

2510. Has he come 300 or 400 miles here?—I do not know; he came to vote for Captain Moore, and he afterwards voted for Mr. M'Cann. Richard Robert Rowland, he was beaten most violently before Captain Moore retired, and he voted for Mr. M'Cann.

2511. Did you see him beaten?—Yes; the committee-room windows were exactly opposite, nearly. Andrew Semple; Richard Richardson; Boyle Simpson.

2512. Do you not know that John Owens was a member of Mr. M'Cann's committee?—I do not.

2513. You swear that you do not know that John Owens was a member, and advertised as a member, of Mr. M'Cann's committee?—I do not know; this is John Owens of Fair-street, and he promised me to vote for Captain Moore.

2514. This is the man, "John Owens"?—If that is John Owens of Fair-street, he did promise me to vote for Captain Moore.

2515. Is there any other upon the register?—I do not know.

2516. Will you swear he was not on Mr. M'Cann's committee?—I will not swear it, certainly; I do not know that that is the man.

2517. Go on?—Terence Riley.

2518. How many are there?—Fifty-six; here is one man named James Falconer; he had promised me.

2519. You have got the two Sownes there?—No; this James Falconer came to me with tears in his eyes; he is a harness maker; and he came to beg me to ask the Conservative party to excuse him for having voted for Mr. M'Cann; he said he had been compelled to vote for him.

2520. You had better put in the list?—

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[*The Witness delivered in the following List*:]

John Rowland.	William Hoy.
Thomas Verdon.	Henry Hull.
John Ash.	George Hardman.
William Smith.	James Faulkner.
John Shackelton.	Bernard Devine.
Patrick Rogers.	John Grendon.
Walter Kelly.	Edward Finlay.
John Owens.	John Devine.
Robert Thompson.	William Fairtlough.
William Sully.	Charles Eger.
John Stewart.	George Davies.
R. R. Rowland.	Simon Duffy.
Andrew Semple.	John Donegan.
Richard Richardson.	Ralph Eccleston.
Boyle Simpson.	George Ellis.
Terence Reilley.	Francis Donagh.
Patrick O'Brian.	Richard Mullin.
Michael Skelley.	Patrick Mullen.
Joseph Price.	James McKenna.
James Watson.	James McCartney.
Thomas Collins.	Samuel Moore.
Thomas Branigan.	Robert Nugent.
V. S. Crofton.	Patrick M. Moore.
Laurence Corten.	Owen John McGough.
Nicholas Coogan.	Michael McGough.
Robert Cathcart.	Edward McNamee.
Thomas Callaghan.	Thomas Moore.
Thomas Blain.	Thomas Nive.
Mr. Hamilton.	

2521. Can you tell me whether any single one of those persons you have named is here as a witness?—Yes, Thomas Moore.

2522. Is he the only one?—Yes; there is another.

2523. The mealman?—Yes; and there is another man, Edward Finlay; there may be more.

2524. Did you vote yourself?—I did.

2525. For whom?—For Mr. Brodigan.

2526. Is he a Conservative?—No; he is a Liberal, and a man in whose principles I fully concur; to a considerable extent he is a gentleman by birth, education, and feeling.

2527. Were you molested in going to the poll?—I was not; I came down quietly, and went into the Tolsey and polled.

2528. Everything was perfectly quiet?—So far as I saw then.

Re-examined by Mr. *Hodges*.

2529. Did you observe that as soon as Captain Moore retired the state of the town was much quieter?—On the evening previous to the nomination several parties, who had promised me to vote for Captain Moore, called upon me to say they were in fear and terror of their lives after the day of nomination, the intervening day between that and the day of polling, the town like magic became quiet.

2530. The real contest would have been between Captain Moore and Mr. M'Cann?—Yes.

2531. Mr. Brodigan never had a chance?—I had better say that the Conservative party, and a great number of the Liberals, being absorbed by Mr. M'Cann and Captain Moore, Mr. Brodigan's chance was a very poor one.

2532. As soon as Captain Moore retired the town was quiet?—Not as soon; but on the following morning, when the placard came out announcing his retirement, there was quietness.

2533. There were no other meetings at which there was violence?—Not that I know of; I heard of some persons being beaten afterwards.

2534. You say the canvass-book was made up before the canvass was completed,

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completed, and it was also looked over afterwards?—Mr. Jordan and I went over, about three days before the day of nomination, very carefully the list, and we called out those we thought would be opposed, and then when the result of this canvass was ascertained we went over it again.

2535. Was the mode in which you did it this; that the parties who canvassed were all then together, and as you came to the names of persons they were accounted for if you were able?—Precisely.

2536. And in that way you arrived at a majority of 40 or 50, or more, in favour of Captain Moore?—Certainly. I myself thought the majority would have been more than 40, but they took off a certain number for contingencies.

2537. And with respect to that list of 56 you put in before the Committee, many of those are persons you yourself had canvassed before?—Yes.

[The Witness withdrew.

Robert Morton was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

R. Morton.

2538. ARE you an elector at Drogheda?—Yes.

2539. Does your father reside there?—No, he resides in Dublin.

2540. Your father carries on a large business, I believe?—He does.

2541. What sort of business?—Mealing business; flour.

2542. He has an extensive business there, has he?—He has.

2543. How long have you known Drogheda yourself?—I was born there, and you may say never left it.

2544. Did you support Captain Moore at the late election?—No, I did not; but I intended doing so if he had gone to the poll.

2545. Were you present at any speeches that were made from the White Horse Inn?—I was.

2546. Which was that, on the Tuesday or Monday evening?—Both evenings.

2547. We have heard from other witnesses that there were a number of persons in the balcony?—Yes.

2548. Did you see, amongst other gentlemen, some priests there?—Yes.

2549. How many priests did you see there on the Monday night?—I did not count them, but I should say about six.

2550. *Committee.*] Are you yourself a Roman-catholic or a Protestant?—A Protestant.

2551. Mr. *Hodges.*] Can you state to the Committee anything you remember the priests saying to the people on either of those evenings?—Yes.

2552. Which evening?—I do not recollect.

2553. Who was the priest speaking?—Father Montague.

2554. Did you happen to be near when Mr. Jordan's windows were destroyed?—Yes; I was in the street at the time.

2555. What sort of a mob was that?—It was very violent; the people did not appear to know what they were doing, they were so much excited; they barely knew what they were doing.

2556. Did you see them throwing stones?—I did.

2557. I do not know whether you are able to give any evidence upon the point, but can you say whether the stones were thrown continuously, or whether they were thrown in volleys?—There were one or two volleys that I was very glad to get away from.

2558. Do you mean a number of persons throwing at the same time?—A number of persons throwing at the same time.

2559. Was there any sort of organisation among them?—The whole street were throwing stones; every person in the street.

2560. How many people do you suppose were in the street at that time?—There could not be less than 700 or 800.

2561. Were the stones large that they threw?—The average-sized stones that you see in the street.

2562. Macadamised stones?—Yes.

2563. Was

2563. Was the conduct of the mob very bad?—As bad as it could be.

2564. And you went away yourself?—I think I did.

2565. How long did the excitement continue that night?—For more than two hours I saw it, but I went home.

2566. Did you see any violence committed, except at Mr. Jordan's?—No; that was the only place.

Cross-examined by Mr. *Phinn.*

2567. How long did you stay in this excited mob?—For more than an hour.

2568. You are well known in Drogheda, are you not?—Yes, I am well known.

2569. Have you got a scratch to show from this battle of Drogheda?—No.

2570. You heard the priests, did you not?—Yes.

2571. Did they not complain that their religion had been denounced by some of the Conservative party as "Idolatry"?—I did not hear that.

2572. That the church missionaries had come and denounced them as "Idolaters"?—I did not hear that.

2573. Did you hear it at the hustings?—I was not at the hustings.

2574. You did not hear the priests say so?—No, I did not.

2575. You read the Conservative newspaper, do you not?—Occasionally; it is not a very valuable one.

2576. I am sorry you should have said that in the absence of the proprietor, who was here the other day; did you vote on the Friday?—No.

2577. Were you out on the Friday?—I was.

2578. Was the town quiet?—It was greatly excited; but the people were quiet.

2579. I suppose you might have gone up and voted if you had liked?—There was only one person to vote for.

2580. You might have made your choice between Mr. M'Cann and Mr. Brodigan?—I think any person might have voted.

2581. Did you hear the priests say it was an attempt to sell the town?—No; but I heard them say "If you vote for M'Cann you vote for your God, your religion, and your priests."

2582. Did you hear the expression, "They are selling the town?"—No.

2583. Was something said about bribery?—No.

2584. About their reverting to the old practices of bribery?—No; I do not recollect it.

2585. Have you not said it would be necessary to buy 80 voters to return a Conservative?—No.

2586. Did you not say so?—No.

2587. Are you sure of that?—Perfectly certain.

2588. Did you say how many it would require?—No; nor I do not know. I did not take any part in the last election at all.

2589. You knew something about the freemen, did you not?—Not one. I do not know the freemen in the town.

2590. Were you in the town on the Thursday?—I was.

2591. Were you at your business, as usual?—Yes.

2592. Were the shops all open?—The shutters were up in a good many of them at 10 o'clock.

2593. On what day?—On the Thursday.

2594. Were those in the houses where the windows had been broken?—Near there.

2595. On the Friday were the shops open for business as usual?—They were.

2596. And you would have had no difficulty in voting?—Not the slightest.

[The Witness withdrew.

Edward Finlay was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

E. Finlay.

1 August 1857.

2597. WHAT are you by business?—A whitesmith by trade.

2598. Are you a voter for Drogheda?—Yes.

2599. At the last election, previously to the Tuesday before the election, who did you promise to vote for?—For Mr. Moore.

2600. Are you a Roman Catholic?—I am.

2601. What day was it that you promised to vote for Mr. Moore; do you recollect whether it was Saturday, or Monday, or Tuesday?—I believe it was either Monday or Tuesday.

2602. After that did any person call upon you?—There did.

2603. Who was that; who called upon you?—Young Mr. M'Cann came to my house, and left word for me to go to his tally-room, and I went so.

2604. Is that the son of the Sitting Member?—Yes.

2605. Did you go to Mr. M'Cann's committee-room?—I did.

2606. What night was that?—I think it was on Tuesday night.

2607. Was it after you had promised Mr. Moore?—I was promised to Mr. Moore at the time.

2608. What induced you to go to the committee-room when the message was left for you?—For my own protection I went.

2609. What do you mean by saying it was for your own protection?—The protection that I consider is, that I considered that my place and myself was in danger; my person and my place was in danger.

2610. And was that the reason why you went to the committee-room?—Yes.

2611. When you went to the committee-room, did you see any persons there?—Yes, I saw two; I think it is Mr. Harry and Mr. Thomas, the two sons of the Sitting Member, Mr. M'Cann; they asked me if I would vote for their father.

2612. What did you say?—I said I would not pledge myself to any gentleman.

2613. After you had had this conversation with these two young gentlemen, where did you go then?—I consider one of the committee says to me, says he——

2614. Who was that?—A gentleman of the name of Mr. Long.

2615. What did he say?—He says, "Here is an order for 5 *s.* worth of drink."

2616. Was this gentleman who gave it to you in the committee-room with the other gentlemen?—He was in the committee-room when he heard me explain myself, and then walked down stairs and gave me the order.

[Adjourned to Monday, at Twelve o'clock.

Lunæ 3° *die Augusti*, 1857.

St. George Smith, Esq., was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

St. George Smith, Esq.

3 August 1857.

2617. I BELIEVE you proposed Captain Moore at the late election at Drogheda?—I did.

2618. Have you lived at Drogheda a considerable time?—I may say all my life, and that is a pretty long one.

2619. Have you always taken an interest in the elections there?—Certainly; as my own family represented the town for a long time.

2620. Have you known Drogheda for the last 50 years?—Indeed I have.

2621. Previously

2621. Previously to the late election had you intended to support a gentleman of Conservative principles?—Certainly.

2622. And did you find that some of the Liberal party also were disposed to assist in returning a gentleman of those principles?—Some of the respectable people of the Liberal party offered their assistance.

2623. And ultimately was Captain Moore brought forward as a candidate?—He was.

2624. Was Captain Moore at all connected with Drogheda?—He was so far connected with Drogheda that he is closely related to my son-in-law, and of course I gave him my support.

2625. Are those the Montgomerys?—The Montgomerys.

2626. Therefore he was not a stranger altogether to you?—Certainly not; I had known him when he was very young.

2627. Do you know whether Captain Moore had been sometimes in the habit of visiting the Montgomerys?—He was when he was young.

2628. When he arrived in the borough, did you accompany him on his canvass on the Saturday?—I did.

2629. What sort of a reception did he meet with from the electors?—Most favourable.

2630. Did you resume the canvass again on the following Monday?—I did, or we did.

2631. And what was the result of your canvass on that day?—If anything, it was still more favourable than it was on the Saturday.

2632. How was Captain Moore received by the people, the non-electors, on the Saturday and on the Monday?—On the Saturday and Monday he was very well received indeed; we never received the least insult; on the contrary, we were very well received.

2633. How did you ascertain that he was well received by the non-electors?—We were cheered going through the streets.

2634. At that time there was no symptom of any riotous disposition among the people?—Not the least in the world.

2635. Did you go through the register after the canvass for the purpose of seeing how he stood in point of numbers?—Some gentlemen, by my request, went through the register, and drew out three lines, one for, one against, and one doubtful; and I took a vast deal of trouble in going over it to ascertain how we stood.

2636. You went over it, did you?—I did.

2637. And did you examine that list for the purpose of ascertaining whether, as far as your knowledge went, it was correct?—I did.

2638. What was the result of the examination of the list on the Monday?—The result of the examination was very favourable.

2639. Did you consider Captain Moore's chance of success as being good?—I thought it was past doubt.

2640. In point of fact, had Captain Moore the support of a certain section of the Liberal party?—He had.

2641. Roman-catholic gentlemen of influence?—Roman-catholic gentlemen who had influence, and also Roman-catholics who had some regard for me, and who promised Captain Moore.

2642. I believe you yourself have considerable influence in the borough; you and your family?—I flatter myself I have.

2643. On the following Tuesday did you observe any difference in the state of the borough?—A very material difference indeed.

2644. And how was it on the Wednesday?—Worse again.

2645. Will you shortly state, if you please, what you observed, which you describe as being a change in the condition of the borough?—The change was so great that I could not venture to introduce Captain Moore to the remainder of the constituency, a great number at any rate; I could not venture out where I saw the immense crowd that was in the town; when I saw them going to one part of the town, I generally took advantage of it, and went out to the suburbs; and there there were some of the electors I had not called on before, and I introduced Captain Moore to them.

2646. *Committee.*] Was that on the Wednesday, or the Tuesday?—It was on the Tuesday.

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2647. Mr. *Hodges.*] At the time when these disturbances began, had you finished the canvass?—We had not finished the canvass at that time.

2648. Do I understand you to say, that in going out to continue the canvass you met with interruptions?—We met with interruptions, certainly.

2649. Could you then pass through the streets as you would on the Saturday and Monday?—I would have been very sorry to try the experiment.

2650. You would have been sorry to try and go through the streets?—Certainly.

2651. Why?—Because I knew it was an impossibility; the crowd was so great, and the excitement was so great, that I would not consider it safe to do so.

2652. On the Wednesday morning did you go to the town-hall, to the nomination?—I did.

2653. About what o'clock was it when you went to the court-house?—I cannot exactly say the time; I went to our committee-room first of all, and went down from the committee-room, which was very close to the court-house; we went there, I should say, about a quarter of an hour or so prior to the appointed time.

2654. What was the state of things outside the court-house when you arrived?—Oh, indeed, it was very bad.

2655. Was there a large crowd?—Very large, indeed.

2656. Were there any police there?—The police were there; some of them.

2657. About how long do you think you were waiting before you were admitted?—I should say, from ten minutes to a quarter of an hour.

2658. And what was going on during that time?—There was terrible excitement; there was a great deal of rioting going on, but I happened to be in the crowd, and could not see what was going on, but I heard it.

2659. There was a violent disturbance, was there?—A great uproar.

2660. Did you wait there until the mayor came down and opened the Town Hall door?—I did.

2661. Will you state your recollection of what occurred when the door was opened?—When the mayor came down, he either opened the door himself or gave the key, I cannot say which, to a person to open; there was a way made for him to come through the crowd, and he had the key with him, and he either opened the door himself or handed the key to a person, I cannot say which; but as soon as the door was opened there was an immense rush, and in that rush I was actually carried in.

2662. When you got into the Town Hall, what was the state of things there?—The rush was so great that it took a considerable time before anything could be done in the way of nomination.

2663. I do not know if you can give us information upon the point; do you know whether there were two lots of people let in, or whether they all went in with one rush?—I cannot say from my own knowledge; but I believe, to the best of my belief, that there was first of all a considerable number let in, and that the police then, after the court was pretty well crowded, hindered others from coming in.

2664. Then ultimately did the others come in?—The sheriff was applied to to let the people in; I happened to be near the sheriff, and the sheriff called out to the police to allow the people in, and the place was densely crowded after that.

2665. Then the hall was very much crowded?—Very much indeed.

2666. Who was proposed first?—Mr. M'Cann was proposed first.

2667. Did the people listen to the speeches made by his proposer and seconder?—Very attentively; as I did myself.

2668. Did you thereupon afterwards come forward to propose Captain Moore?—I did.

2669. What sort of a reception did you meet with?—Worse than I expected.

2670. Who was present upon the platform with Mr. M'Cann?—There were some of the Roman-catholic clergymen; I am not acquainted with their names, except Mr. Hanratty.

2671. He seconded Mr. M'Cann?—Yes, he seconded him.

2672. After you had attempted to speak and to propose Captain Moore, did you see Mr. Jordan come forward to second him?—I did.

2673. What sort of treatment did Mr. Jordan receive?—Very bad indeed.

2674. How long was Mr. Jordan attempting to be heard, do you recollect?—I cannot say; he was on his legs for some time.

2675. Did

2675. Did you observe whether his clothes were torn?—I did not observe it; I heard of it, but I was not aware of it, because he rather separated from me when he was obliged to retire.

2676. How long was this violence going on in the town hall altogether; were you there an hour or two after the storm had commenced?—Do you mean the violence in the town hall?

2676. Yes.—Until the town hall was adjourned it was nothing but a scene of violence.

2678. Was it of a nature to terrify you?—Well, I was very glad to get out of it safe.

2679. Did you proceed from the town hall to Captain Moore's committee-room?—I did.

2680. *Committee.*] There was a great disturbance in the hall; did you see any missiles thrown?—I did not see them; I heard that there were such things, but I did not see them.

2681. If there had been any considerable quantity of stones thrown you would have seen them, I suppose?—I do not think there could have been a considerable quantity thrown.

2682. We have heard something about an inkstand; that you did not see?—No, I did not.

2683. One witness has said that stones and mud were thrown; you did not see that?—I did not.

2684. Mr. *Hodges.*] Were you in a position where you could really see what occurred; did you see Mr. Jordan spit upon?—Indeed I did; he happened to be just before me at the time.

2685. He was very much insulted, was he not?—He certainly was, more than I expected a man of his position in the town would have been.

2686. Did you see anything of an inkstand being thrown at one of the candidates?—I did not.

2687. I was calling your attention to the state of the crowd, after you left the town hall, when you went to the committee-room; were the people then in an excited state?—Very much so.

2688. Were you insulted and abused on your way to the committee-room?—I cannot say that I was abused, but I was insulted.

2689. Did you go with the rest of the party?—I did.

2690. In the course of that evening, you, being the chairman of Captain Moore's committee, did you and the other gentlemen of the committee consider what was the proper course for Captain Moore to take under the circumstances?—That is after the nomination.

2691. Yes?—We did.

2692. After discussing the matter among yourselves, did you make a representation to Captain Moore upon the subject?—I did.

2693. Will you state the nature of that communication?—The nature of that communication was——

2694. *Committee.*] Was this as chairman of the committee, or as a private individual?—I made the communication by the direction of the committee; we consulted in the committee-room prior to my making the communication to Captain Moore. I made a communication to Captain Moore to this effect,—that from the excited state of the town, and from the different depredations that were committed on both person and property, I, as his chairman, would advise him to withdraw; I told him further, that I was afraid, that if he persevered, life would be lost, and that from the position I held in the town (and I am obliged, from my occupation, to be in the town almost every day) I could never enter the town again if life was lost.

2695. And was that your conviction at the time?—That was my own conviction at the time, and the more I think of it the more I am persuaded that I acted a prudent part in the advice I gave.

2696. I believe that an address was then issued by yourself to the electors explaining the grounds upon which Captain Moore had retired?—It was.

2697. Signed by you?—I have it in my pocket, if you would like to see it.

2698. If you have the original, you may produce it. (*The witness produced a printed placard.*)

2699. *Committee.*] Is that an address in which you stated that the reasons for

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Captain Moore's retirement would be communicated to the public in a subsequent address?—No; this was the address that was issued.

2700. Mr. *Hodges.*] Did you also communicate to the chairman of Mr. M'Cann's committee that Captain Moore intended to retire?—Captain Moore himself wrote a note at my suggestion to Mr. M'Cann.

2701. *Committee.*] To the chairman of Mr. M'Cann's committee?—No, to Mr. M'Cann's committee; we thought it right he should do it.

2702. Mr. *Hodges.*] When you came to this determination, you and the committee to recommend Captain Moore to retire, had any change taken place in the register so far as regards the promises that Captain Moore had received?—None in the world.

2703. Then did you at the time you retired entertain the same idea with respect to his chance of success as before?—Quite the same, provided we should be able to bring up our voters; but from the excited state of the town, and the intimidation, I saw it was utterly impossible; I may just as well mention that there is a good number of the electors living from a mile and a half to three miles off, in the environs of the town, and that it would be impossible to bring those men in without having a very large force to protect them.

2704. Some of the voters would have to travel as much as two miles to come to the poll, and you thought that in the excited state of the town it would be impossible to bring them in without a very strong force to protect them?—Yes; will you allow me to state something further?

2705. If it touches on the question?—Several of the electors who had promised to vote for Captain Moore, told me afterwards that they thought we acted a most prudent part, as they themselves would have hesitated about coming up to support him from the excited state of the town.

2706. When was the handbill, which has been referred to, published; on the Thursday morning?—I believe it was published on the Wednesday evening; it is dated Wednesday.

2707. I understand you to say that it was not Captain Moore who proposed to retire, but that he retired on receiving a recommendation to do so from his committee?—It was from the communication he received.

2708. He put himself entirely in the hands of his committee?—Completely so.

2709. And acceded to your recommendation?—Yes.

2710. I do not know whether you are able to state to the Commitee what the state of the town was on the Thursday and Friday; were you in the town yourself?—I did go into the town, and then it was completely quiet to what it had been; I may say I went to our committee-room and I was not insulted.

2711. From the commencement of the election was the real contest between Mr. M'Cann and Captain Moore?—The real contest was between them; there is no doubt about that.

2712. Therefore Mr. Brodigan's standing did not make it a contest of any doubt whatever?—I should say not.

2713. Was the retirement recommended by the committee with any view to a petition?—Certainly not; we never dreamt of a petition at that time.

2714. It had not reference to a petition?—Not at all.

2715. *Committee.*] You did not dream of it?—I did not; certainly not; the subject was never mentioned.

2716. Mr. *Hodges.*] Did you see some of the persons who afterwads voted for Mr. M'Cann?—I did several.

2717. Have you conversed with them?—I have.

2718. Can you state from the result of your conversations with them the grounds upon which they had voted for Mr. M'Cann?

Mr. *Phinn* objected to the question.

Mr. *Hodges* was heard against the objection.

The objection was allowed.

2719. You did not vote yourself?—I did not.

2720. Did you see any of these voters after they came from voting?—Not immediately after coming from voting.

2721. You have told us that the people in the town hall refused to hear you speak at all; they refused to listen to you; I happen to know that there was a report in a newspaper of a speech purporting to be a speech delivered by you; will you explain how it happened that a report appeared in the newspaper of a speech

speech which you are supposed to have made?—I can explain it in this way; I had the outlines of the speech I intended to make, and I requested of Mr. Mayne to give the outlines to the editor of the paper, which he did; and from that he made a speech, a great deal better one than I would have made; but the outlines or marrow of it was all right.

2722. *Committee.*] Did you, in fact, make any speech?—I endeavoured to do so; there were some sentences that I certainly did utter; but I do not think that any one heard them.

Cross-examined by Mr. *Phinn.*

2723. Were you ever at an English election when a Protectionist candidate tried to make a speech?—I never was at an English election in my life.

2724. You never saw the dumb show there; I think you are a corn merchant, carrying on business at Drogheda?—I am.

2725. So that you are a rival in trade as well as in politics, with Mr. M'Cann, I dare say a very friendly one?—Mr. M'Cann and I have always been on most friendly terms, and I hope to be so again.

2726. I hope I may say so without offence; I believe you have been a constant Orangeman and Conservative all your life?—No, I never was an Orangeman in my life; I have been a Conservative.

2727. When you attempted to address the people, Mr. M'Cann interfered, and asked them to hear you, did he not?—He did.

2728. His influence, however, did not suffice to still them?—Certainly, I must say it did not.

2729. The seconder, Mr. Jordan, was worse received than you?—He was.

2730. A great deal worse received than you?—A great deal; in so far as I was only hooted and he was spat upon.

2731. There was no spitting, or attack of that kind upon you, I believe?—No, I think not.

2732. Were you originally a party to Mr. Moore being brought; was it at your suggestion that he was invited to stand?—Mr. Moore brought a note of introduction to me; and Mr. Moore, as I told you before, was connected with my son-in-law, Mr. Montgomery.

2733. What is the connexion?—I believe they are actually the same name; he is Alexander Montgomery Moore.

2734. Are they cousins, or something of that kind?—They are cousins.

2735. Was Mr. Mayne deputed to try to find a candidate?—I am not aware that he was.

2736. You knew nothing of Captain Moore coming, till he brought the note of introduction to you?—I did not.

2737. Was that on the Saturday before the election?—I do not know whether it was Friday or Saturday.

2738. Up to that time you were not aware who the Conservative candidate was to be?—There were several that had been most anxious to come forward; but we selected Mr. Moore as a man more connected with the town, and also as a man who we thought would do us credit.

2739. When you say you determined to bring Captain Moore forward, I want to know whether that determination was come to on the Saturday after he brought the letter of introduction to you; on the Friday or the Saturday?—I cannot charge my memory.

2740. Previous to his bringing that letter of introduction to you, had there been any determination to bring him forward?—Certainly not.

2741. Who were the parties most prominent in getting a Conservative candidate; Mr. Jordan, was he one?—Yes, he was.

2742. Mr. Hammond?—He was.

2743. Yourself?—Yes.

2744. Had you had meetings previous to the Saturday?—Not as to the candidate.

2745. As to having some candidate?—I really cannot charge my memory now about Friday or Saturday.

2746. Then, up to Saturday you were not aware who the Conservative candidate was to be?—I was not.

2747. Did you see any address of Captain Moore's on the Saturday?—Of course.

2748. Are you sure?—Yes.

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2479. Was any address of his published in the paper?—I suspect it was; yes, on Saturday. His address is dated March the 28th.

2750. Where do you reside?—Within about an English mile of the town.

2751. How did you come in on the Wednesday morning?—In the usual way I generally come; the ordinary quiet way.

2752. You walked in?—I cannot say, but I generally do.

2753. Did you walk in on the Tuesday morning?—I rather think I did.

2754. Did you walk in on the Thursday morning?—Indeed I might walk very well on the Thursday morning.

2755. It was quite quiet?—I am in a quiet part of the town; my office is on the quay, and I can walk quietly along the Strand.

2756. Do you recollect whether you walked out on the Tuesday and Wednesday?—I cannot say exactly whether I did or not, but I think I did.

2757. Was there any insult offered you, or was any attack made upon you in walking in or out of the town on the Tuesday or Wednesday?—In going out of the town, certainly there was.

2758. Which day?—I think it was Tuesday; I was obliged to send for an omnibus to one of the hotels; there was a party to dine with me, and a large party was got into the omnibus, and in that way we escaped pretty well; we were certainlyhooted; there is no doubt in the world about that.

2759. But that was when there were other gentlemen accompanying you?—Yes.

2760. Was Mr. Jordan one of your dinner party?—He was not.

2761. Mr. Hammond?—He was not.

2762. Mr. Verdon?—He was not; in short there were none but my own family, I may say, and Captain Moore.

2763. Then you were hooted?—We were.

2764. Was that on the Tuesday or Wednesday?—I think it was on the Tuesday.

2765. How did you go out on the Wednesday?—On the Wednesday we took a very good opportunity, when all the excitement was up at the upper end of the town, where all the speeching was going on, of slipping out.

2766. But on your road, on you personally, was any attack made at all?—Certainly not.

2767. Were you aware, that during all this time, there was a company of infantry quartered close to the town?—Indeed, I heard there were, but they were very far off.

2768. Were they a quarter of a mile from your committee?—They were not very far from it.

2769. Had you any communication with the commanding officer of that company?—Certainly not.

2770. Had you any with the commanding officer of the cavalry before you determined to retire?—None.

2771. Did you attempt to ascertain from either of those officers whether they could disperse the mob?—I called with one of my nephews on the sheriff.

2772. Had you any communication with either of the officers commanding the detachments of cavalry or infantry?—I had not. I do not think that the officers were the proper quarter to apply to, because they must act on such occasions under authority. I called on the sheriff, and I told him there was a report come to me that the military were going to be withdrawn.

2773. What day was that?—My memory does not serve me.

2774. Do you recollect whether it was the nomination day or not?—I think it was.

2775. After or before the nomination?—After the nomination; but it was prior to our making up our minds to withdraw Captain Moore.

2776. Do you recollect what passed?—What passed when I called on the sheriff was this: the sheriff was in his son's house; I called on him, and when I called there I saw the stipendiary magistrate in conversation with the sheriff. I was not acquainted at the time with the stipendiary magistrate; but the sheriff introduced him to me, and I stated to the stipendiary magistrate that I had heard a report that the troops were to be withdrawn, and I told the sheriff that instead of the troops being withdrawn he ought to telegraph to the Government and get additional troops down, for that from the great excitement that there was within the town it was impossible that we could bring our friends up to the poll wthout having ample protection.

2777. *Committee.*] When was that?—On the Wednesday.

2778. After the nomination?—After the nomination, and before the retirement.

2779. Mr. *Phinn.*] The purport of your visit to the sheriff was to prevent the troops being withdrawn?—Yes.

2780. Did you state to the stipendiary magistrate, at that time, that you could not get the voters up to the poll?—I stated so to the sheriff. There came up a report that young Mr. Smith was attacked in the street, and the stipendiary magistrate ran out immediately to see what was going on; the excitement was very great.

2781. Did you at all state to the stipendiary magistrate that you could not bring up the voters to the poll, or that you had any idea of withdrawing?—I never stated that we had the least idea of withdrawing; but I told the sheriff that it was out of the question, and that we could not get our men up unless we had protection.

2782. Let me understand this; before you, as chairman of the committee, came to the determination of withdrawing, did you communicate with the stipendiary magistrate, or with the sheriff, stating that you were about to do so?—I never mentioned the subject of our being about to withdraw, because it was not until after my interview with the sheriff that we came to the resolution of withdrawing.

2783. Then, as I understand you, you determined to withdraw without asking the sheriff, the stipendiary magistrate, or the commanders of the detachments, whether they could afford adequate protection to your voters in going to the poll?—I stated to the sheriff that we could not go on without protection.

2784. *Committee.*] The purport of your communication to the stipendiary magistrate, and to the sheriff, was to induce them to cause the troops not to be withdrawn?—Yes.

2785. Did you desire them to afford, by the troops which they had already there, any protection to your men?—You see this was on the Wednesday; the day of nomination; the polling was not to take place until the Friday. What I stated was, that unless we had protection, it was out of the question that we could bring our men to the poll.

2786. Did you say anything to the sheriff, or to the stipendiary magistrate, with regard to providing troops to bring your voters to the poll?—I told them, that in place of having the troops withdrawn, unless there was an additional force, we could not possibly bring our men up.

2787. Mr. *Phinn.*] Did you propose any arrangement to the sheriff, the stipendiary magistrate, or the officers in command of the detachments, for the purpose of protecting your voters to the poll?—No; I think that that was an arrangement that they should have made, and not me.

2788. Had the infantry, up to the Wednesday, ever appeared in the streets?—I never saw them.

2789. Did you ever apply for them?—Indeed I did not; and I must tell you, further, that I did not know that they were there; the company of infantry.

2790. How long had the infantry been quartered there; the company of infantry?—They had been quartered; I thought you meant that there had been troops sent down on purpose.

2791. No; how long had the infantry been quartered there?—A long time.

2792. Six months or twelve months?—They had been there a considerable time.

2793. Was not the officer in command of the infantry well known to the gentry in the town?—I should say so.

2794. He had been receiving their hospitality, and knew them?—I dare say he had.

2795. About the time of the election, who was the officer in command of the infantry?—I cannot tell you.

2796. Do you know any officer attached to that company?—If I were to hear the names I could tell you.

2797. Do you know Captain M'Donnell?—No, I do not.

2798. You do not know him by name?—No.

2799. Was there any damage done to the town hall?—Not to my knowledge.

2800. Was there a window broken?—There may have been several windows broken without my knowledge.

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2801. But to your knowledge was there a window broken, or a form destroyed?—Not to my knowledge.

2802. Did you not get on to the platform with members of Captain Moore's committee?—I did.

2803. Had you any difficulty in getting on to the platform beyond what commonly occurs in a rush?—I had some difficulty, and but for the people who made way for me I should have had very considerable difficulty.

2804. But they did make way, and you had no great difficulty?—They were generally people who had a respect for me.

2805. The persons who first got into the hall, were they not generally respectable residents in the town on all sides?—There were several of them.

2806. Were there not 50 or 60 of the most respectable tradesmen and merchants of the town?—I should say so.

2807. And were they not in there five or six minutes at least, before the general public were admitted?—I dare say they might have been.

2808. Had they taken their places on the platform before the general body were admitted?—The fact is that all that was within my view was occupied almost immediately.

2809. Immediately is a relative term; it may be five minutes or a minute?—It was before the second rush was made; but almost all within my view was occupied at once; in short, before I got into my place, I may say.

2810. Each party took particular portions of the platform, did they not?—We had a very small proportion of it.

2811. There is no doubt, is there, that as far as the non-electors are concerned, Mr. M'Cann was the popular candidate?—There is no doubt of that; I acknowledge it.

2812. You say that you were supported by a certain section of the Liberal party; did above two or three Roman-catholic gentlemen come over to you?—Well, I should say there were more.

2813. How many more?—I cannot exactly say.

2814. Did you have anybody beyond Mr. Jordan, Mr. Verdon, and Mr. Hammond; can you mention any other gentlemen of influence or weight in the Roman-catholic party in the town?—As to influence and weight, they certainly were more influential than any others that came forward; but we had a great many respectable Roman-catholics who promised to support us.

2815. Will you mention any of them?—Indeed I do not like mentioning them, if you will excuse me.

2816. *Committee.*] Are you apprehensive of any mischief if you answer that question?—I do not like to bring them into it.

2817. We have had several witnesses already who have told us plainly?—Unless I had the list before me it would not be, in my opinion, right to be selecting two or three individuals where there were a great number.

2818. Mr. *Phinn.*] Mention any prominent tradesmen or persons of anything like position?—There were several, but really and truly I cannot select their names.

2819. Your reason then for not mentioning their names is, that you do not recollect them; is that so?—Partly; if I recollected them I would state them, if I did not think it would be placing them in an unpleasant position, where they have not voted.

2820. That is a discretion that the Committee must exercise, and not you?—

Committee.] If you recollect them you ought to tell us.

Witness.] I would rather not answer the question; and I will tell you plainly why, if you will allow me.

2821. Mr. *Phinn.*] But I must ask you whether you have in your mind, at this moment, the name of anybody you would mention to us?—I would name Captain Heeney, the captain of one of our steamers.

2822. Are you a heavy shareholder in the company?—I am.

2823. And he is one of your servants, is he not?—He is not my servant.

2824. A servant of the company?—He is very independent.

2825. Is he a servant of the company?—He is a captain of one of the steamers.

2826. Is he a servant of the company?—He is.

2827. Is

2827. Is he a connexion of Mr. Verdon's?—He is.

2828. Is Mr. Verdon a director of the company?—He is.

2829. And is Mr. Jordan a director of the company?—He is.

2830. Now, be good enough to mention another?—I would say there is a man, Mr. Riley.

2831. What is he?—A publican.

2832. Is not Mr. Riley a servant of your steam company?—He is.

2833. *Committee.*] You say there were some Roman-catholic persons of position in the town, who promised Captain Moore?—Yes.

2834. You have given us three or four names, and besides those you have given us two others, and you have made some difficulty in giving us those other names. Is it not the fact, that although there were some there were not many?—Really, I think, from the influence of the gentlemen I have named, that there were several that would have supported them.

2835. Mr. *Phinn.*] What I understand you to say is this, that these gentlemen having joined you, and having great influence in the town, would probably have brought persons within the range of your influence over to you?—There is not a doubt of it.

2836. You have known Drogheda since the election of 1818, I think?—To be sure I have.

2837. You were a very active party at that election?—I was.

2838. Were you out of the way after that election?—I was.

2839. For four months?—I am not exactly sure how long it was.

2840. To evade the Speaker's warrant?—I do not know that there was a Speaker's warrant.

2841. But you were out of the way?—I was.

2842. Was that in consequence of an imputation of bribery?—It was.

2843. Did you not trust to the influence of money to secure this election for Captain Moore?—We did not.

2844. Were you not applied to for money?—I was not.

2845. Were you not at the committee-room applied to for money by voters?—Certainly not.

2846. Had you discussed the amount of money necessary to carry the election?—No doubt it was discussed.

2847. What sum was it fixed at?—Some said one sum and some another.

2848. What sum did you fix?—I fixed, if it was a contested election, that it might cost a good deal of money.

2849. How much?—I should say 1,200 *l.* or 1,500 *l.*

2850. That was your calculation?—Yes.

2851. You calculated from 1,200 *l.* to 1,500 *l.*?—I did.

2852. Was a larger sum fixed upon by some members of the committee?—I cannot exactly say.

2853. But you must?—I cannot.

2854. But you shall?—I cannot recollect it.

2855. Will you, upon your oath, Mr. Smith, from your experience of Drogheda, tell me that other members of the committee did not suggest in your hearing a larger sum than 1,500 *l.*?—Well, I cannot charge my memory. I know I am upon my oath, and I cannot charge my memory.

2856. What is your impression?—My impression is that I went to the full amount.

2857. Is it your impression that other persons in your hearing stated a larger sum?—I cannot say that they did.

2858. Is it your impression that they did?—I cannot say that they did.

2859. That stereotyped answer will not do. Is it your impression that they did, upon your oath?—It is my impression that there was not a higher sum mentioned than I mentioned.

2860. Is that your impression?—That is my impression.

2861. How did you contemplate spending from 1,200 *l.* to 1,500 *l.* in the borough of Drogheda?—If we had the expence of getting men, and paying men to protect us, as other parties did (at least I understand so), it would have cost a great deal of money.

2862. Who do you refer to when you speak of "other parties"?—I understand that our opponents did; it is only report.

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2863. When was it that that sum of from 1,200 *l.* to 1,500 *l.* was mentioned?—It was mentioned, I think, either on the Saturday or Monday.

2864. Are you sure it was mentioned before Tuesday?—I do not know.

2865. Was it mentioned either on Saturday or Monday?—I cannot say whether it was Saturday or Monday.

2866. But before Tuesday?—I cannot say that it was mentioned even before Tuesday; I cannot charge my memory.

2867. Where was that sum mentioned by you?—In the committee-room.

2868. Was it proposed that Captain Moore should pay all this sum, or that you were to contribute?—Captain Moore, I believe, was willing to pay any fair sum for legitimate purposes.

2869. Was it proposed that he should pay the whole of the sum, or that you should contribute?—It was proposed that Captain Moore should pay the entire sum.

2870. Was not that discussed before Captain Moore commenced his canvass?—It was discussed so far that, from the excited state of the town, it was discussed that unless we were to employ a parcel of men to protect us, that it would be impossible to carry on the contest.

2871. I beg you to answer my question; was the sum proposed as necessary discussed before Captain Moore commenced his canvass?—I believe it was.

2872. Was it then that you mentioned the sum of from 1,200 *l.* to 1,500 *l.*?—I cannot exactly say.

2873. I must beg you to recollect?—I know I am on my oath, and I would most willingly state it if I could.

2874. Now I ask you, was it not a matter of arrangement with Captain Moore before he commenced his canvass, what the expenditure was to be?—I believe it was.

2875. Was it not then that you calculated the sum at from 1,200 *l.* to 1,500 *l.*?—There is no doubt in the world of it.

2876. As early as the Saturday before Captain Moore commenced his canvass, was there not a discussion between him and his supporters as to what amount would be necessary for the election?—I think it was.

2877. Was it mentioned by you that from 1,200 *l.* to 1,500 *l.* would be necessary?—I think it might.

2878. Upon your oath, was not the town quiet up to Tuesday?—I have said so.

2879. Then how did you calculate that from 1,200 *l.* to 1,500 *l.* would be necessary to protect your voters?—We knew very well that there would be a very strong opposition; we were perfectly persuaded of that, and we thought it better to bring before Captain Moore what might have occurred.

2880. Then you anticipated a riot?—Indeed we did.

2881. And did you not provoke it?—We did not provoke it.

2882. We shall see about that; was it not discussed in your committee whether you should not try to get a second Liberal candidate to split the interest?—I am not aware that it was; there was a second Liberal candidate in the field.

2883. Was it not proposed in your committee that one of your own men should propose Mr. Brodigan, and afterwards vote for Captain Moore?—No; certainly not.

2884. Did one of your supporters propose Mr. Brodigan?—It was never discussed, for we were completely surprised by Mr. Brodigan.

2885. Did not one of your warmest supporters propose Mr. Brodigan?—At this moment I do not know who proposed him; if you will mention the name, I will tell you.

2886. Was it Mr. Harris?—I really do not know whether it was Mr. Harris, or whether Mr. Harris seconded him, for I thought so little about it.

2887. So that on the Saturday you calculated that from 1,200 *l.* to 1,500 *l.* would be necessary for the purposes of this election?—We did.

2888. Was it not stated in your committee-room that it would be necessary to pay some of the electors?—It was not.

2889. Nor anything to that effect?—Nor anything to that effect; because I discountenanced anything of the kind, and Captain Moore would discountenance it also.

2890. That may or may not be; but was it not stated by some of your committee in the room that it would be necessary to pay some of the electors?—If it

was done, it would have been done without my knowledge; and if it had been proposed, I should not have sanctioned it.

2891. Was it not suggested in your presence?—I do not think it was.

2892. Was it not suggested in your presence that some of the electors would not vote without payment?—I do not think there was anything of the kind mentioned.

2893. Will you swear it was not?—I will swear, to the best of my knowledge and belief, it was not; and I will tell you further, that in the entire of my canvass with Captain Moore, there was not an individual who ever mentioned the subject of payment.

2894. I ask, whether the subject of paying the electors was not discussed in your committee-room?—It was not discussed in the committee-room.

2895. How many did you personally canvass, do you think?—I personally canvassed a good many.

2896. How many should you say?—I was out for two days.

2897. Did you canvass fifty or sixty?—Oh, indeed I did.

2898. I suppose there were some that did not require canvassing?—Of course I introduced Captain Moore to the very respectable supporters.

2899. Was it not suggested to you that some of the freemen would not vote without payment?—It was not.

2900. It was never mentioned?—Never mentioned.

2901. Are you sure of that?—I am perfectly persuaded of it.

2902. Do you know a man named Thomas Kelly, where you had your committee-rooms?—I do.

2903. Do you not remember his suggesting to you paying some of the electors?—Thomas Kelly may have suggestions of his own, but anything Thomas Kelly did I am not accountable for.

2904. Did he suggest it to you, that is my question?—Well, I must say that I cannot be answerable for Thomas Kelly.

2905. *Committee.*] The question is not whether you approved of it, but whether another person mentioned it to you; did Thomas Kelly suggest it to you?—(*No answer.*)

2906. Mr. *Phinn.*] Did Thomas Kelly suggest to you that it would be necessary to pay some of the electors for their votes?—I swear that, to the best of my knowledge, he did not.

2907. Do you know a man named Thomas Beddie?—I do.

2908. Did he make that suggestion to you?—He did not.

2909. Or Dr. Atkinson?—He did not.

2910. Was not the payment of electors talked of in your committee-room; it may have been repudiated by you?—You have my answer already to that.

2911. You are quite sure?—I am quite sure; there were a great number of subjects discussed there.

2912. You were in the town on Thursday, you say?—I was.

2913. Was it perfectly quiet?—It was so quiet that I went up to our committee-room.

2914. You met with no obstruction at all?—No, I did not.

2915. On the Friday, now, was the town quiet?—I do not think I was in the town on Friday.

2916 You did not attempt to record your vote?—Indeed I did not.

2917. I think you tell us that, at the time you gave the advice to retire, you never dreamt of a petition?—We did not.

2918. It had never been mentioned?—It had not.

2919. Were you present on the Thursday when Mr. Mayne proposed to swear a deposition as to the state of the town?—I understand he did swear it; I heard of it.

2920. Did you not say you were not alarmed at all yourself on the Thursday?—On the Thursday.

2921. When you were told that he had prepared a deposition as to the state of the town, did you not say it was unnecessary, you were not a bit alarmed?—I cannot say.

2922. Were you alarmed on the Thursday?—No. May I state this: there has been an allusion made to a circumstance that occurred in the year 1818 of my leaving Drogheda for a certain time; I must tell you that there was a very severely contested election between Mr. Ogle and the late councillor Wallace, who

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was an uncommonly talented clever man; Mr. Ogle was returned; there was a petition against his return; there was a commission appointed to sit in Drogheda, and I knew perfectly well that I would have had no peace of mind if I remained in Drogheda, and I certainly did go away. The commission sat for a very long time indeed; a very long time; and I supposed if I remained in Drogheda that I would have been obliged to attend every day there, and be persecuted; I had not a doubt of it; I certainly did go away, and when I returned they had not a scintilla of evidence against me during the time that the commission sat, except one unfortunate man, who swore that I gave him a pound note, and that was all the evidence they had; on my return to Drogheda this unfortunate man came to my father-in-law's, in Drogheda; he begged to see me, and he came into the room where I was, and there fell down on his knees to beg my pardon, for that he had perjured himself; and I asked him how he could bring himself to do such a thing; "Sir, I was put up to it," was his reply; he gave me the name of the individual who put him up to it, but he was a neighbour of my own, who has departed this life, and I will not therefore mention his name.

2923. In point of fact, you never were examined before that commission?—I was not.

2924. Were you not out of the way for the purpose of avoiding examination?—I was.

2925. Were not the ladies of your family about in Drogheda canvassing on the Tuesday?—On Monday they were, but I cannot answer for Tuesday; I met them accidentally in the street.

2926. You were using the best influence in the world; just recollect, if you did not use it on the Tuesday?—I am afraid they did very little.

2927. My experience is the other way; but were they not out canvassing in Drogheda on the Tuesday?—My daughter and my daughter-in-law.

2928. On Tuesday?—I cannot say.

2929. Were they in the town on Tuesday?—I cannot say that.

2930. Did you not take them home in the omnibus on the Tuesday?—No; they had their own carriage.

2931. Do you know whether they were in the town on the Tuesday?—I do not know.

2932. *Committee.*] They were on the Monday?—Yes.

Re-examined by Mr. *Hodges.*

2933. My friend asked you whether Mr. M'Cann had interfered on the day of the nomination for the purpose of your being allowed to be heard?—He did.

2934. Did he interfere more than once or frequently?—I cannot say that he did, but he certainly begged of the people to hear me.

2935. Was the crowd in that excited state that it produced not the least impression?—Not the least.

2936. And you were not permitted to say one word audibly?—Anything I said could not be heard; the fact of it is, the excitement was so great that the sheriff, though I mentioned the name of Captain Moore—I was beside the sheriff, and he begged of me to bawl into his ear who it was that I was proposing.

2937. That was the mode in which you made him acquainted with the person you intended to propose?—Yes.

2938. I understand you to say, that before you determined on retiring you thought it proper to go up and see the sheriff?—I did; at that time we had not the least idea of retiring; not at the time I called on the sheriff.

2939. At that time was the violence continuing in the street; at that very time that you were with the sheriff?—It was; I mentioned that the stipendiary magistrate was in the room with the sheriff, and that a cry was raised that my nephew was attacked, and in consequence of that the stipendiary magistrate went out, and I never saw him afterwards.

2940. Did you ascertain after that that your nephew had been attacked?—He had been.

2941. Violently?—Violently; and he was obliged to take refuge in the house of a painter in Drogheda; and stones, I was told, were thrown, and he had a very narrow escape indeed.

2942. Where did you go after you left the sheriff's house?—When the crowd were rather out of the streets I went into our committee-room.

2943. Was

2943. Was the violence still being continued in the other parts of the town when you got back to the committee-room?—I should say it was; but I cannot answer to what took place in another part of the town.

2944. Did you tell the sheriff that the military ought not to be taken away?—I did.

2945. Will you tell us exactly what you said to the sheriff?—As well as I recollect, I told the sheriff it would be impossible for us to bring up our supporters unless we had a sufficient force.

2946. Did you say anything with reference to the withdrawal of the troops?—I said not only that the troops should not be withdrawn, but that we should require a further force.

2947. Do you recollect whether you communicated to the committee what you had said to the sheriff?—I rather think I did.

2948. And you are quite distinct upon this, that it was after you had seen the sheriff and the stipendiary officer that you determined to retire?—It was after.

2949. Was there any violence at the committee-room after you reached it on the Wednesday evening?—I do not know whether it was either Tuesday evening or Wednesday that Captain Moore and I and some of my family were going into the committee-room, and there was a rush made to get into the house, and several of the crowd got into the house, and it was by main force that they were put out of it.

2950. You do not recollect whether that was on the Tuesday or the Wednesday, do you?—I think it was Tuesday.

2951. What I wish to ask you is this, whether there was any violence at the committee-room on the Wednesday night that you retired; do you recollect a stone coming near your head?—Indeed I do.

2952. What evening was that?—Really I do not know whether it was Tuesday evening or Wednesday.

2953. What sort of a stone was that?—I never inspected the stone; I was only too happy to get away from a repetition of it.

2954. Had you a narrow escape of being struck by that stone?—I understand I had; but the people who were in the room begged of me not to expose myself again.

2955. You have been asked some question with respect to the probable cost of this election, and you mentioned a sum of between twelve and fifteen hundred pounds. By the Irish Election Law a day intervenes between the day of nomination and the day of polling?—Yes; Wednesday was the day of nomination, and Friday was the day of polling.

2956. So that the election would be continued longer than it would be in England?—Yes; we are obliged to poll the entire of the constituency in a day, and there was our difficulty, because we could not get up our man.

2957. Did you contemplate spending any portion of that money in any but legitimate expenses?—Indeed I did not.

2958. You have been asked some questions respecting the amount; are there not a considerable number of out-voters at Drogheda?—A great number.

2959. Did you not contemplate bringing in those out-voters to support Captain Moore?—We not only contemplated doing it, but several of them came from a great distance; some of them came from England, Cork, Donegal, the West of Ireland, Newry, and I understand even from Scotland they came.

2960. Do you recollect whether some of them were sent for from France?—Well, I believe there was one telegraphed for to France, and I believe he is a relation of my own.

2961. Can you tell the Committee about the number of these out-voters that you expected to vote for Captain Moore; can you tell within five or ten?—I cannot; I am not prepared to answer the question, but there were a considerable number.

2962. Are any of them the freemen that we have heard of?—They are principally freemen; there are some of them who farm property.

2963. Did you in mentioning from twelve to fifteen hundred pounds think it proper to tell Captain Moore what the probable legitimate expenses would be?—Captain Moore, by my advice, sent for his agent to be by in order to see that there was not any expense gone to that was not proper; that was at my suggestion.

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2964. Do you mean his steward, or land agent?—You call it steward in this country, we call it agent.

2965. And did you upon any occasion promise money to persons for giving their votes, or countenance anything of the kind?—I never promised an individual, nor was I ever asked.

2966. Or did you ever authorise any other person to do so?—I never authorised any other person to do it.

2967. You have been asked another question, whether you did not provoke the contest; now, did Captain Moore's committee in any manner endeavour to provoke this violent contest?—Certainly not.

2968. Had you anything whatever to do with the standing of Mr. Brodigan?—Nothing in the world.

2969. Did he stand on totally independent support irrespective of yours?—Completely; we had nothing in the world to do with Mr. Brodigan.

Examined by the *Committee*.

2970. You say when you were in the court-house at the nomination, after a certain time the sheriff called out to the police to let the people in?—Yes.

2971. Did you observe whether any person suggested to the high sheriff to let the people in?—I understand that Mr. M'Cann and his supporters did apply.

2972. Did you see any person apply to him?—I think I did.

2973. Was the sheriff pressed and pushed upon in going into the court-house?—I cannot say that; but I suppose he was as well as others.

2974. At the time when he called out to the police to let the people in, was there a good deal of tumult round about the sheriff?—There was; I was beside the sheriff, and there was nothing but tumult in the court.

2975. Did it appear to you to be an indiscreet act on the part of the sheriff to let the people in when there was already a tumult and riot going on round him?—The fact is, I do not think he had any option in it, for he was called on to do it.

2976. Did you, or did any person in your hearing apply to the sheriff to stop the whole proceeding?—I understand there was an application made to him to stop the proceedings; I did not apply to him.

2977. How many policemen do you think there were in the court-house at the time of which you are now speaking?—I cannot say, for they were completely under me, and the dock was before us, which was crowded, and I could not see them.

2978. Were you not surprised that the high sheriff and returning officer should allow the nomination to go on in the midst of all this riot without stopping the proceedings and enforcing good order?—I do not think he had it in his power to enforce good order; I do not think he had it in his power.

2979. Although he had it not in his power to enforce order, had he not it in his power to suspend the proceedings?—I think that one thing would be just as bad as the other, for I think if he had suspended the proceedings and directed the court to be cleared, I do not think it could possibly have been done with safety, from the excitement.

2980. You have been present on former elections at Drogheda?—I have.

2981. Did you ever see anything like the riot and confusion that there was at this election?—I have seen a great deal of riot and confusion, but in former elections we generally had as many of the mob on one side as the other; but here it was all on one side.

2982. *Mr. Phinn.*] At Sir William Somerville's election, was it not necessary to protect Sir William and his voters from personal violence?—I took no part in the world in Sir William Somerville's election; I believe I went to vote for him, but I never went into the town or took the least part in it.

2983. *Committee.*] You, who know Drogheda very well, can tell us whether it was the fact, that at the time of Sir William Somerville's election it was necessary to protect the voters going to the poll, and Sir William himself?—I cannot answer the question, for I never went into the town further than my own office.

2984. At the period when the high sheriff called for the police, had Mr. M'Cann been proposed?—I am not aware that the sheriff called for the police; they were outside.

2985. The

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2985. The sheriff gave orders to let the people in?—Yes; the police, I believe, stood at the door when they thought there was a sufficient number in; that is my impression.

2986. When the sheriff told them to let the people in, had Mr. M'Cann been proposed?—I believe not.

2987. The writ and so on, had that been read; had the court been regularly opened?—I suspect not; I am not certain as to that.

2988. There was no attempt to introduce the policemen into the court to keep the people in order?—I do not think there were any police in the court; there may have been; I do not think they were.

2989. You were on the platform?—I was at the end of the court.

2990. Then below the bench there is a place you call the dock?—Yes.

2991. And beyond that the body of the court?—No; beyond that is the door; the body of the court is to the right and left of the bench.

2992. When the doors were opened they came in amongst the place where you and the candidates were?—There was not much room for them to come in.

2993. When was Mr. Brodigan announced as a candidate; was he announced previous to the Saturday?—I believe so.

2994. You have said that some of the electors told you afterwards that they would not have dared to have polled had Captain Moore gone to the poll?—I say several of the electors told me after we had retired that we had done a prudent act, for they could not with safety have come up to support us.

2995. Those electors were supporters of Captain Moore?—Yes, those electors were supporters of Captain Moore.

2996. Have any of those electors been examined here?—I believe so. Will you allow me to correct a part of my evidence. It just occurs to me that Mr. Phinn put a question to me respecting Mr. Kelly. Mr. Kelly mentioned that there were some of the out-voters that he had some influence with, that it would be difficult to get up, and I told Mr. Kelly that I had nothing to do with it.

2997. To get up without money, you mean?—I suspect it may have been so; but I never gave Mr. Kelly or any other man the least idea that we would pay a voter.

[The Witness withdrew.

Francis Brodigan, Esq., was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

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2998. I BELIEVE you are a barrister?—Yes.

2999. And do you reside at Drogheda?—In the neighbourhood of Drogheda, in the county of Meath.

3000. Are you a registered elector of Drogheda?—I am a registered elector of Drogheda.

3001. I believe you have considerable property in the town?—In the neighbourhood of Drogheda.

3002. About how far from Drogheda is Pilton, where you reside?—Two miles and three quarters from Drogheda.

3003. It is within the Parliamentary boundary?—It is.

3004. You are also a magistrate for the county of Meath, I believe?—Yes.

3005. And we have heard that you were one of the candidates at the last election for Drogheda?—Yes.

3006. When did you announce yourself as a candidate?—I canvassed the constituency of Drogheda I think about a fortnight before the 24th of March; and having filled the office of high sheriff of Drogheda, it was necessary I should resign the office before I issued any address to the electors formally.

3007. You then resigned the office of sheriff?—Yes; prior to my issuing an address to the electors, the office of high sheriff, I should say, was effectually resigned, and a successor appointed before my address was issued.

3008. Do you recollect Captain Moore coming to canvass the borough on Saturday the 28th of March?—Yes; he commenced his canvass, I think, on the Saturday following the issuing of my address; that was on Tuesday, the 24th of March.

3009. You issued your address on the Tuesday, and he came to canvass on the following Saturday?—I believe so.

3010. What was the state of the town up to the Monday?—The state of the

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town was considerably excited; there were harangues from the balconies in the hotel where I had fixed my own quarters; that commenced on the Monday.

3011. Up to the Monday, what was the state of the town?—I cannot exactly say up to the Monday; I think it began to be rather disturbed before Monday; but after that time it was considerably disturbed.

3012. We have heard that on Tuesday and Wednesday the town was in a very disturbed state?—Particularly so.

3013. Were you molested at all yourself and your friends?—In entering the court-house on the day of nomination, I found it very difficult to enter, and there was an attempt made by a large crowd of persons to get me into a kind of narrow compass, and to squeeze me as far as possible; and I was obliged to use great exertions with my shoulders to get out of the crowd, and go towards the house of the high sheriff to tell him that the violence of the crowd was so great that it would be a matter of difficulty to enter the court-house, and that some arrangement should be made with the military and police before the court-house should be opened,

3014. That was before you obtained admission?—Yes.

3015. Did you succeed in reaching the sheriff to make that communication?—Yes.

3016. What did he say?—The sheriff came forward, and there was some little organization of the police before the court-house, and we got in, but at the same time with very great difficulty.

3017. Did you get in with the first crowd?—I did; by the greatest possible exertions I reached the bench of the court-house, and with great difficulty I got a place; but it was not at all possible to hear or to be heard near the sheriff.

3018. We have heard that the hall was quite filled with people?—The crowd got in, in fact, in the first instance, without any difficulty; I had proposed, the night before, that there should be a distribution of tickets among the candidates, and I gave, I think, about a hundred blank cards to the high sheriff, expecting to receive them in the morning with a view to hand them to friends; but on the following morning no tickets were ready, and it appears that the proposal to admit the people by that means was refused.

3019. You were desirous that the admission to the court-house should have been by tickets?—Yes; I was aware of the difficulties that would exist.

3020. We have heard that your proposer and seconder were not permitted to speak; were you allowed to speak yourself?—There was no possibility of speaking; in fact the organization on the other side seemed to be such as to prevent the possibility of anybody speaking.

3021. We have heard something about an inkstand?—Just about the time when the nomination was nearly over, an ink bottle was thrown at my head, and I was struck on my temple with violence, but in consequence of my hat being on at the time, there was no injurious effect from it.

3022. Was it a violent blow?—Very violent, and it was a very large ink bottle, full of ink, which was scattered about my hair and face; it struck the wainscot.

3023. Had you an agent there, a Mr. M'Ghee?—Yes; he was my agent on that occasion.

3024. We have not heard anything about Mr. M'Ghee; can you say whether your agent was assaulted there?—Yes, Mr. M'Ghee was assaulted.

3025. Mr. *Phinn.*] Did you see it?—No; I saw him afterwards; in consequence of the assault, he was confined about five or six days to his bed. I had no ocular observation of it myself, but I am aware of its having taken place.

3026. Mr. *Hodges.*] Did you see that gentleman the same evening?—I saw him on the following day, and at that time he was in bed attended by a surgeon, owing to the injuries he had received.

3027. What was the state of the town on that Wednesday evening?—On the Wednesday evening it was particularly disturbed; there was great violence in the streets, and very large crowds; and upon the resignation of Captain Moore, which I heard of in the hotel that evening, I received a letter from a gentleman who was one of his supporters——

Mr. *Phinn* objected to the evidence.

The *Witness.*] I wished to have seen this gentleman, and he wrote me a note, and in order to reach him——

Mr.

Mr. *Phinn* objected to the evidence.

The *Witness*.] I might summarise it by saying that I was obliged to go under military escort to meet this gentleman, and to make my way through an immense crowd from the hotel where I was stopping.

3028. Where were you when you were obliged to resort to a military escort?—In the hotel.

3029. Is that the White Horse?—That is the White Horse.

3030. What induced you to go into the hotel of Mr. M'Cann?—I had been in the hotel before Mr. M'Cann's party had entered there, and I had been always in the habit of stopping at that hotel, which is one of the two in the town; finding that Mr. M'Cann had taken up his quarters there subsequent to my entering it, I sent to the next hotel to get a bed there, in order not to be at the hotel where Mr. M'Cann's party were in the habit of meeting in the evening; but there was no bed to be procured there.

3031. What made it necessary for you to have a military escort?—It was the police—I should have said a police escort.

3032. *Committee*.] Was it military or police?—Police exclusively.

3033. Mr. *Hodges*.] What I was trying to get from you was, how it was that you were obliged to resort to the protection of the police?—From the impossibility of going through such a large crowd.

3034. Was there a crowd?—An immense crowd, and people speaking from the balcony and exciting the mob.

3035. Was violence going on then, so as to make it unsafe for you to go out?—There was a great deal of violence during the whole of the day, particularly that evening; and at that particular moment there was a crowd on the balcony speaking in Mr. M'Cann's interest.

3036. And you were in the house?—Yes.

3037. And do you represent that you were afraid to go into the crowd without the protection of the police?—Certainly.

3038. When the police took you through the crowd, how did they do it?—Captain Derenzy happened to be in the same hotel where I was, and he sent in and said he would accompany me through the streets in order to get rid of this crowd, so that I should be free from the crowd.

3039. Had you police with you?—Yes, a body of police.

3040. How were they armed?—They were armed with guns; that is the way the police are armed in Ireland.

3041. Did they use their arms at all?—They were not required to use them, because they seemed to command the passage by the force they had at the time.

3042. So, under their protection you got away?—Yes.

3043. How was the town on the Thursday, after Captain Moore had resigned?—The town continued very excited during that day, and up to the following day.

3044. Were the people more or less excited after he retired?—Just the same; there appeared to be scarcely any subsidence.

3045. Some of your friends went up to poll on Friday?—Yes.

3046. How were the people then?—During that day it was impossible for me to venture out.

3047. You did not venture out yourself?—No, owing to the disturbances that were taking place.

3048. We have heard of the racking of some houses; did you see an attack made upon Cuney's house?—I did not witness the attack, but I saw the house after the attack.

3049. Did you see other houses besides Cuney's?—Yes, I saw all the damage that had taken place after it had occurred.

3050. Did it appear to you, during the time of the election, that there was adequate protection for the voters?—I think there was rather inadequate protection; I frequently spoke to the high sheriff about it.

3051. When you were in the town-hall on the day of the nomination, did you see any violence committed by any of M'Cann's committee; was there any violence towards yourself?—There was a good deal of violence there, by reason of the mob being allowed to enter in the first instance and take possession of the bench.

3052. Do you know a man named Michael Johnson?—Yes, he was particularly turbulent; I believe he was a member of Mr. M'Cann's committee. I wished at

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one time to get nearer to the sheriff, with a view to be enabled to express some sentiments on my being proposed and seconded; but this man said, that if I attempted to move towards the high sheriff he would not go away, and that he would punch the guts out of me.

Cross-examined by Mr. *Phinn*.

3053. And you were very much frightened, I suppose?—Rather frightened.

3054. At Johnson?—At Johnson, and the general aspect of the court-house.

3055. You are a barrister, I believe?—Yes.

3056. You are a Catholic, I believe?—A Catholic.

3057. Are you a strong Liberal?—I am a pretty strong Liberal.

3058. A member of the Reform Club?—Yes.

3059. When did you commence canvassing the borough?—I think about a fortnight before the election.

3060. Will you mention the first day on which you commenced your canvass?—I cannot recollect the day of the month, but I think it was about a fortnight before the 23d or 24th of March.

3061. Did you canvass on tenant league principles?—No.

3062. Are you a member of the tenant league?—I subscribe to the fund.

3063. And you are a member, are you not?—I believe the body does not exist at the present time.

3064. Were you a member of the tenant league?—I have been.

3065. Were you chairman for your own district of the tenant league?—No.

3066. I should like very much to know the day on which you began to canvass; did you put out an address first?—No; there was merely an announcement in the newspaper that I should come forward; but having filled the office of high sheriff, my address was not published till my resignation of the office of high sheriff was accepted and a successor was appointed.

3067. Did you begin to canvass before it was accepted?—I canvassed before.

3068. Did you think that compatible with your duty as high sheriff?—It was quite usual to do so.

3069. Did you think it compatible with your duty to canvass, you being at the time high sheriff?—Yes; I considered it was quite compatible with my duty, when it was my intention to resign, and when I had applied for leave to resign, and leave had been promised me by the Government.

3070. How long had you canvassed before you sent in your resignation?—I think, a fortnight.

3071. Was it sent in at the suggestion of Mr. Verdon?—It was sent in by nobody's suggestion but my own.

3072. Did you suggest the appointment to Mr. Verdon?—I did.

3073. Did you know that in order to get Mr. Verdon appointed, it was necessary to pass over two names?—I was aware that two names were to be passed over, one of whom was the mayor of Drogheda, who could not in that capacity act as sheriff.

3074. Who was the other?—He lived five or six miles off.

3075. Did you know that Mr. Verdon was a voter?—I did.

3076. And a partisan?—Not particularly.

3077. Did you know that he acted with the Conservatives always?—I knew he did not.

3078. But you knew that he was opposed to Mr. M'Cann?—I thought so.

3079. So you recommended a gentleman who you knew was opposed to your antagonist?—You are speaking of an anterior period; there were no arrangements made at that time.

3080. Did you not recommend a gentleman to be passed, one who lives some distance from Drogheda, and did you not recommend Mr. Verdon, who you knew was opposed to Mr. M'Cann?—When the mayor of Drogheda could not act, it became a matter to consider who should; and the appointment of a gentleman living five or six miles from Drogheda at a time when it was necessary to make a selection, would make it very difficult to appoint a successor in time to enable me to canvass the constituency.

3081. You thought that an impartial man living five or six miles from Drogheda was not so desirable as Mr. Verdon, who lived in the town?—I did not know whether he was impartial or not.

3082. Did

3082. Did you not know when you recommended Mr. Moore that he was opposed to Mr. M'Cann?—I did not know what course he would take.

3083. Did you not know that he was opposed to Mr. M'Cann when you recommended him?—I was quite aware that he was opposed to Mr. M'Cann.

3084. Was your canvass very successful?—It was very flattering till the appearance of a third candidate.

3085. Had you got a majority of 40 or 50?—I could not say that.

3086. How many votes do you think you had secured?—I dare say I might have had about 70 or 80 prior to Mr. Moore's appearing.

3087. Had you ever received any promise from any Conservative?—I had.

3088. Who from?—I received a promise from Dr. Atkinson, and a promise from another gentleman in Drogheda; but whether it is right to name those gentlemen I do not know.

3089. Yes; who was it?—Mr. Joyce.

3090. Anybody else?—There are several others who promised me.

3091. Leading Conservatives?—Several others.

3092. Had you any application made to you for money from voters that you canvassed?—None whatever.

3093. From freemen?—None whatever.

3094. For expenses for out-voters?—None whatever.

3095. Had you made any calculation of the expenses of your election?—That is, what the election expenses would be in the event of my succeeding?

3096. In the event of a contest.—I thought about 300 *l.* or 400 *l.*

3097. Would 500 *l.* be about the maximum that you contemplated at all?—Yes; I think so.

3098. We have heard of Mr. M'Ghee; is that gentleman over here?—He is not here.

3099. Is he not a very drunken person?—No, I think not.

3100. Have you seen him frequently drunk?—I never saw him actually drunk.

3101. But approaching drunk; fresh?—Lately, for the last two or three years, I have seen him rather the contrary.

3102. Previously was he in the habit of drinking?—He has been in the habit of drinking in the evening sometimes, but not to excess.

3103. Was he known as a drunken person?—I am not aware that he is known as a drunken person.

3104. But a man who over-indulges?—He may have done so formerly.

3105. Was he your agent at the last election in 1852?—He was a sub-agent on that occasion.

3106. Did you employ him?—I did.

3107. Did you pay him?—I did.

3108. On that occasion, in 1852, you had some opportunity, perhaps, of observing his habits?—I am not aware that there was anything particular in them.

3109. But there was some improvement in his habits?—I did not observe in 1852 that there was anything that might be considered as important drunken habits.

3110. Was he your legal agent on the last occasion?—Yes.

3111. You returned him to the sheriff as your agent?—Yes.

3112. Did you pay him?—I did.

3113. You have sent in an account of your expenses to the auditor, have you not?—Yes.

3114. What does he figure for?—He was paid a retaining fee of 20 *l.*

3115. When was that?—I think about four or five days before the nomination.

3116. That was the agreement between you and him?—That was the agreement.

3117. Who proposed you?—Mr. Harris.

3118. Are you aware that he meant to vote for Captain Moore?—I am not aware.

3119. Are you aware that he has said that when he proposed you he meant to vote for Captain Moore?—I am not aware of it.

3120. Did he promise to vote for you?—He did.

3121. Before he proposed you?—He was greatly annoyed by the violence of

the town, and he said that it would be quite impossible for him to vote, by reason of the violence.

3122. And that you believe was his reason for not voting for you?—Yes.

3123. You are not aware that he expressed an intention of voting for Captain Moore?—I am not aware of it.

3124. You are not aware that in this room he told this Committee that he meant to vote for Captain Moore?—No.

3125. You polled 14 votes, I think?—I did.

3126. Was that with a view of presenting a petition to claim the seat?—No, it was with a view of polling as many as it was possible to poll.

3127. Do you attribute the small number polling for you to the obstruction that was offered to them?—I am quite aware that it resulted from the pre-organised violence which existed in Drogheda.

3128. Do you attribute the small minority you polled, and I ask you this seriously, to the violence existing on the polling day?— I attribute it to the violence which existed before the polling day, which was so great as to determine persons not to vote; they were put into a state of terror and intimidation, and were afraid to vote.

3129. Then you think you would have beaten Mr. M'Cann if the thing had been fairly open; do you believe that if you had had fair play you would have beaten Mr. M'Cann at the poll?—I do not think I could, where there was such violence used beforehand.

3130. Do you think that if there had been no violence you could have beaten him?—It is difficult to say, when the election was so complicated by the, to me, unexpected appearance of a third candidate.

3131. You had not a majority of the Conservatives with you, had you?—In the first instance there were some doubts as to whether they would bring forward a Conservative or not; but there were rumours that they would not; in fact, the matter was in a state of fluctuation; but on the appearance of a third candidate matters were completely complicated.

3132. Did you stand in 1852?—No.

3133. Were you nominated?—No.

3134. Did you issue an address?—Yes.

3135. Did not Mr. M'Cann walk over the course?—I am aware that he polled a great number unnecessarily when there was no candidate in the field.

3136. Did Mr. M'Ghee come forward?—I believe he was named by somebody.

3137. This attorney, who was your sub-agent in 1852?—He was previously my sub-agent; but my resignation took place on the evening before the nomination.

3138. That was because you thought your return utterly hopeless?—No; the same violence would have been used on that occasion as was used in 1857.

3139. That is indigenous in Drogheda, is it not?—Yes; there were about 1,500 navvies in Drogheda in 1852, whose services would have been brought forward on this occasion for the purpose of intimidating by brute force any person who would oppose Mr. M'Cann.

3140. That was expected?—Yes.

3141. By you?—By me and by my committee.

3142. How many did your committee consist of?—I think of about 14 or 15 persons.

3143. In 1852?—Yes.

3144. Were their names ever published?—Not in the newspapers; but I can name the chairman of my committee on that occasion.

3145. At this time did you not write a letter to Mr. M'Cann and ask him to resign?—No, I did not; not in those terms.

3146. Did you write to him to ask him to resign in your favour?—I wrote for the purpose of stating that in 1852 I resigned, although I was placed on a scrutiny in a majority of 12; that was brought before my committee, who consisted of persons whose names I can give on the present occasion, in 1852; then I mentioned the matter to Mr. M'Cann, that with a view of making matters more agreeable in Drogheda, he having occupied the representation since 1852 up to 1857, there was an opportunity of reciprocating with me what was then extended to him, namely, in 1852.

3147. But you did not mention the 1,500 navvies in this letter?—No, that is sufficiently notorious.

3148. You assigned as a reason for his withdrawing that you had withdrawn in 1852?—Yes.

3149. And that therefore he owed you a good turn?—Exactly.

3150. When was this epistle written?—It was written, I think, about the week of the nomination.

3151. Was it after Mr. Moore was a candidate; after the Saturday?—It was before Captain Moore was a candidate.

3152. But that was not the week of the nomination, you know?—I cannot exactly remember dates to a minute extent; it was made at a time that a third candidate was expected.

3153. Was it not made at a time when the third candidate was on the ground?—I am not sure of the date when it was made.

3154. Was it not made as late as the Tuesday?—I am not sure of the date; I have not got the letter.

3155. But you have had a crop of candidates in Drogheda, have you not?—There were only three.

3156. There was the sack-maker, who gave himself "the sack," I believe, Mr. M'Donald, was not there?—Yes, he was one; he merely announced himself in the papers.

3157. And then retired to his sack manufactory; was there a Mr. Lambert?—Yes.

3158. And a Mr. St. Leger?—I think not.

3159. No?—No; he might have been spoken of, but he did not issue any address; those candidates I know nothing about.

3160. Did you go at all to Captain Moore's committee-room during the election?—No.

3161. Not once?—No.

3162. Were you in communication with his committee?—No.

3163. Not with any member of it?—Not with any member of it; quite the contrary.

3164. Do you know Mr. Kelly?—Yes.

3165. Was he the landlord of the committee-room?—He was.

3166. Was he your agent in the beginning?—He was not my agent in the beginning or at any time; he was my agent in 1852, but not then.

3167. Were you in communication with him in 1857?—No, not on that subject; he is my agent in several matters.

3168. In what matters?—House-letting.

3169. Then Mr. Kelly, the man who kept their committee-room, collects your rents; is that true?—No, it is not.

3170. Does he let your houses?—Yes, when they are vacant.

3171. Did you see him while Captain Moore was in the town?—I did not see him after Captain Moore's committee was formed.

3172. Did you see him before?—Very often before.

3173. Were you frequently in there with him about the election before Captain Moore came?—Before Captain Moore was declared as a candidate, or I knew Captain Moore or any other candidate would come forward, I had seen Mr. Kelly.

3174. Did you meet freemen there?—On several occasions there were men came in there; this was long before Captain Moore's committee was formed.

3175. Were those forty shilling freeholders and freemen that you saw at Kelly's?—Two or three came in.

3176. Did they come after money?—They did not ask for money, and what is more is that if they had asked for money they would not have got it.

3177. Did not William Sully apply to you for money?—I do not know the man.

3178. Do you remember giving a man money in the hall at Kelly's just before the election?—I have no recollection of it.

3179. Did you yourself, at Kelly's, give a voter money; mind what you are about?—I gave no money to any voter whatever.

3180. Will you swear that within three or four days of Captain Moore's coming you did not give money to a voter at Kelly's?—I did not give money to any voter; I have no recollection whatever of any such circumstance, or of my being applied to for the purpose.

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3181. Will you swear that it did not take place?—I am sure that such a thing never took place; there were several persons came in there.

3182. Did they not apply to you for money?—They did not.

3183. You think not?—I am sure they did not; and if they had done so they would not have got it.

3184. You were staying at the same hotel as Mr. M'Cann?—I had entered it before Mr. M'Cann's party took possession of it; they occupied a committee-room in a different part of the town.

3185. Up to what day did you stay there?—During the election I was there almost every day; before the election, and during the election.

3186. Did you sleep there during the election?—I entered there on the Tuesday of the election week, and slept there till the following Saturday.

3187. You slept there the Tuesday, Wednesday, Thursday, Friday, and Saturday?—Yes.

3188. Did you see Captain Derenzy there?—Yes.

3189. Was he staying there?—Yes.

3190. Have you seen him here?—Yes.

3191. In the lobby?—Yes.

3192. Did you see him there to-day?—No.

3193. Did you see him on Saturday?—Yes; Saturday or Friday.

3194. Were you in communication with Captain Derenzy on the state of the town during the election?—I frequently spoke to him about the excited state of the town.

3195. Did he tell you that you need not be alarmed, and that he had seen much worse things at an Irish election; did he not tell you that you were unnecessarily alarmed, and that he had seen a dozen times worse things at Irish elections?—He might have done so, but I do not particularly remember it.

3196. Did he tell you that with the infantry, the police, and the troopers, he had ample force to maintain the peace of the town?—I should think there was ample force.

3197. Did he tell you so?—I do not recollect it; but he may have told me so, because I met him there every evening almost at table in the same room.

3198. You dined quietly at this inn where Mr. M'Cann's supporters were, did you not?—Where they were the latter part of the evening.

3199. But Mr. M'Cann's friends resorted there during the day, I suppose?—During the evening.

3200. And the day?—I am not aware of that.

3201. Did you go out canvassing on the Tuesday?—I did.

3202. Can you show a scratch?—I found very great difficulty in canvassing.

3203. Can you show a scratch?—None, except from the ink bottle.

3204. That was a blow on the hat?—On the temple.

3205. On the hat?—The hat was outside.

3206. The hat was between the temple and the ink-bottle?—The hat was.

3207. Can you show any scar?—Not any.

3208. You were out in the town canvassing?—Yes; but I found great difficulty in doing so.

3209. You found great difficulty in getting votes, no doubt?—From the mob in every direction; I had been canvassing two or three days before that, and on the Tuesday it was impossible to go into the same districts into which I had gone before.

3210. Why?—Because some people had been round those districts, and the mob became ferocious.

3211. What did this ferocious mob do to you?—It was impossible to go into those districts with safety.

3212. What did this ferocious mob do to you?—I got as quickly out of it as possible.

3213. You have described the people at Drogheda as "a ferocious mob." Let me hear what the "ferocious mob" did to you?—It was impossible, I say.

3214. Answer the question?—I say it was impossible with safety to go in those directions, but nothing personally resulted from it.

3215. Were you not aware that Mr. M'Cann was the popular candidate?—I was aware that he had the best portion of the mob in his favour, and that they were pre-organised to acts of violence for the purpose of securing his election.

3216. That is your impression?—That is my impression.

3217. Was Cuney an agent of yours?—He was.

3218. A publican?—Yes.

3219. The shoemaker?—Yes.

3220. He seconded you, did he not?—Yes.

3221. What did you pay Cuney, I should like to know, for his services?—I should be very sorry to pay him anything.

3222. You say he was your agent, you know. What did you pay him?—I did not expect to pay him anything.

3223. Did you pay him anything?—A member of his family was paid for the use of his committee-rooms.

3224. How much?—He was paid 35 *l.*

3225. Who was the member of his family?—Mr. John Cuney.

3226. What is he?—He is a son of his.

3227. Thirty-five pounds for the use of his committee-rooms?—Yes.

3228. Is it a 10 *l.* house?—I am not aware, indeed.

3229. Are you not aware that this is a 10 *l.* house?—I do not at all know.

3230. Do you believe the rent of that house to be above 10 *l.*?—I should think it must be rather more than that.

3231. About 12 *l.*?—I cannot tell.

3232. And you paid this 35 *l.* to him?—For the use of the committee-rooms.

3233. How many rooms?—Two rooms.

3234. How long did you use them?—I should think for about eight or nine days.

3235. Were they furnished rooms?—They were.

3236. They were such rooms as a shoemaker would have to carry on his business?—It had been the telegraph office I think before that.

3237. They were two very small rooms; was not the 35 *l.* to be distributed in beer, part of it; do you not know that Cuney was distributing beer and money to the people?—I am not aware that he was.

3238. Whiskey?—I am not aware that he was.

3239. Did he not apply to you for money after the election, because he had expended money for you?—He might have endeavoured to get mobs out of the way.

3240. Did he apply to you for money after the election for what he had expended during the election?—He said he had expended some money on my account.

3241. Did he tell you that he had spent money in giving the mob drink?—He did not.

3242. Did he tell you he had been obliged to give money for drinking?—He told me he was surrounded by mobs to such an extent, that he was obliged to get them out of the way as well as he could.

3243. Did he tell you that, to get them out of the way, he gave them money?—He did not.

3244. Did he tell you that he had given them drink?—He did not.

3245. What did he tell you he had given them?—That he was obliged to get them out of the way as well as he could.

3246. How much money did he apply to you for?—I think he applied to me for two or three pounds on one occasion.

3247. Was it not 4 *l.* 10 *s.*?—I have no recollection of the amount.

3248. When was it that he applied to you for this money?—Some time after the election; I do not know exactly the day.

3249. Now I ask you, did he not tell you that he had given money to the mob who broke the windows of the committee-room on the other side—Mr. Moore's—on that very evening?—He did not; I never heard anything on the subject till this moment.

3250. When did you make the contract for the 35 *l.* for the use of these committee-rooms; when was that sum arranged?—I dare say it might have been about four or five days before the election; I am not sure exactly.

3251. When was it arranged that you were to pay 35 *l.* for the use of those committee-rooms?—I would not exactly say what exact day it was.

3252. Was the arrangement made when you took the rooms?—It was made about that time.

3253. Was the arrangement made when you took the rooms?—I cannot exactly say what time it was.

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3254. You took two rooms of him about nine days before the election; I ask whether you made any arrangement as to price when you took the rooms? I take the liberty of advising you to be cautious.—I think the arrangement was made before that.

3255. Did he ask you 35 *l.* for the rooms when you took them?—He told me that the rooms were not exactly in a proper state at that time, and that he should have them repaired and put into order.

3256. Was anything said as to price then?—I think there was some observation made by him with regard to the expense he would incur by putting them into that state.

3257. Was anything said as to the price you were to pay for the use of the committee-rooms during the election then?—I am not exactly sure as to the time, but before that there was some conversation on the subject.

3258. When did you ever agree to pay him 35 *l.* for the use of these two little rooms?—It might have been four or five days before the election week, but I cannot say.

3259. Where was it made?—In Drogheda, in his house.

3260. Was any one present besides himself and you?—His wife and son.

3261. Who fixed the sum of 35 *l.*?—I thought it would be a proper sum myself.

3262. Did you mention the sum?—I mentioned the sum.

3263. "I will give you 35 *l.* for the use of these rooms for the elections;" was that so; four or five days before the election?—I am not sure as to the date, but it was somewhere about that time.

3264. £. 35?—£. 35.

3265. Were you aware that that was at least three times his year's rent?—I did not consider what the amount of the man's rent was at all.

3266. When did you pay him the 35 *l.*?—It was paid about that time.

3267. Before the election?—Before the election.

3268. Did you pay it by a cheque?—I think I paid him in hand.

3269. In gold?—It might have been in gold or Irish notes.

3270. Let me understand; four or five days before the election you paid that money in gold or Irish notes; 35 *l.* for the use of the rooms during the election; is that so?—That is so.

3271. Are you aware that he gave drink to the mob?—I have no personal knowledge of it.

3272. Did he tell you so after the election, and make a further claim upon you; upon your oath?—He told me that he was obliged to get rid of the mob that surrounded his house, and that his house and his family were continually annoyed by persons, and that there was no possibility of getting rid of those persons except by pacifying them.

3273. Did he tell you he had given drink to the mob?—He did not say so.

3274. Did you understand so from him, and that that was the ground of the further claim upon you?—I might understand that he pacified them in that way by what he said.

3275. Did you understand that?—I should rather understand that than not, because it was the only way to pacify them.

3276. Did you pay him any more than the 35 *l.*?—I mentioned that I paid him two or three pounds more.

3277. What age is this son of Cuney's?—He may be 20 or 21; I am not sure.

3278. Is he a journeman working at home with his father?—I think so.

3279. Is it his father's house, and not his?—I do not know which of those two houses belongs to the father or son, or to whom it belongs in fact.

3280. Whose hands did you pay the 35 *l.* into?—It was left at a time that himself and his wife were present.

3281. Left where?—In his house.

3282. In whose hands?—His wife was present and himself.

3283. Whose hands did you put it into?—I put it on his table.

3284. Did you see him take it up?—No.

3285. Did you see him count it?—I do not think I did.

3286. Did you not pay that for Cuney himself, the father?—It was not paid into his hands.

3287. It was paid on a table?—Yes.

3288. Were

3288. Were Cuney and his wife close by?—Yes.

3289. Then what did you mean by telling the Committee you took the rooms from a member of his family?—It was from John Cuney I took the rooms.

3290. That is, you spoke to John Cuney about his father's rooms?—Yes.

3291. Did you not mean to convey to the Committee by your first answer that you did take the rooms from the son, and not from the father; it is a painful question?—The father having been engaged for me in going about a good deal, I could not of course engage with his father on such a matter.

3292. Why not?—Because he was not the proper person to speak to on such a subject.

3293. Why not?—Because objections might be taken to such course.

3294. Then was he the proper person to pay?—I do not know; I should suppose not.

3295. I must have an answer to the question; did you not mean to convey to this Committee that you took the rooms from the son, and not from the father?—I did not wish to convey anything that was wrong to the Committee.

3296. Did you wish to convey that meaning to the Committee?—I merely wished to convey that I would not have anything to do with the father in such a transaction.

3297. Did you not mean to convey to this Committee that you took the rooms from a member of the family, and not from the father?—I wished to convey that I took them from a member of the family.

3298. And not from the father?—Not from the father, because I was not desirous of dealing with the father in any way on such matters.

3299. Did you pay the father?—I have explained that I put down the money when the father and wife and a couple of sons were present.

3300. For the use of the father; I ask you whether it is true that that 35 *l.* was for the use of the rooms or for some other purposes?—For the use of the rooms.

3301. Nominally?—Not nominally.

3302. Colourably?—No.

3303. Do you mean to convey that you paid *boná fide* 35 *l.* to this man for the use of the rooms?—I paid 35 *l.* for the use of the rooms.

3304. *Boná fide;* you shall not shirk that word?—Yes; it was paid for the use of the rooms, for I was aware that twice that sum had been paid for the use of committee-rooms, the other committee-rooms.

3305. Do you mean to convey to this Committee that this was a fair, honest payment for the use and rent of those rooms?—I considered that that was a proper sum.

3306. Fairly and honestly paid?—According to my calculation.

3307. £. 35 for two rooms in a shoemaker's shop?—It was not in a shoemaker's shop.

3308. Were they small rooms?—Not very small; taking both, they might be half the size of this committee-room.

3309. Who did you return it as paid to to the election auditor; to the father or son?—I am not aware that any person was named.

3310. Was Richard Cuney the man?—No.

3311. Who is Richard Cuney; is he the father or the son?—He is the father.

3312. Will you swear you did not return the money as paid to the father?—I am pretty sure it is not so.

3313. Was he your agent for election expenses?—He was.

3314. The father?—The father.

3315. Did you pay that money on the Monday?—It is perfectly impossible for me to say; two or three days before the election.

3316. *Committee.*] Do you mean two or three days before the nomination or the Friday?—I think it might have been the Monday, but it is impossible, with such, confusion to recollect.

3317. It is of importance; was it on the Monday or the Tuesday?—I cannot say.

3318. Mr. *Phinn.*] Did you take a receipt?—Yes.

3319. What has become of that receipt?—I have got the receipt in town; I can get it.

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3320. Then you can give us the date on which you paid it by referring to that receipt?—I dare say I can get the receipt.

3321. Can you give us the date by referring to it?—Yes.

3322. Do you mean to represent that before and after the election 38 *l.* was the utmost that you paid Cuney?—I think that was about the sum.

3323. You have told us of 35 *l.* and 3 *l.*; are you prepared to say that you did not give him any more in reference to the election?—I mentioned that I gave him two or three pounds extra.

3324. Did you give him more besides that?—He wanted more.

3325. What for?—He said he was subjected to very great inconvenience by the loss of his business and trade, and the destruction of his windows, and a variety of other incidents.

3326. And drink that he had given away; did he lump that in?—No.

3327. "Pacifying" the mob?—Yes; he had a great deal to encounter.

3328. And did you give him anything more?—I gave him 2 *l.* or 3 *l.* more.

3329. You gave him 35 *l.* and 3 *l.*; did you give him any more besides those two sums?—I gave him 3 *l.* or 4 *l.* more.

3330. *Committee.*] You gave him 35 *l.* for the use of his rooms, and from 2 *l.* to 3 *l.* extra; do I now understand you to say that you gave him 4 *l.* or 5 *l.* beyond that?—I gave him 2 *l.* or 3 *l.* beyond that; he said that there were further matters that he had had to encounter; that his house was constantly threatened, and that unless something was done with the mob, he did not know what would arise.

3331. Thirty-five pounds you gave him first of all; afterwards you gave him 2 *l.* or 3 *l.* extra; and besides that you gave him 2 *l.* or 3 *l.* more; is that so?—Yes.

3332. The second extra payment was 3 *l.* or 4 *l.*?—Yes.

3333. Mr. *Phinn.*] Now we have got it that you gave him 35 *l.*, 3 *l.*, and 3 *l.* or 4 *l.*?—Yes.

3334. Did you give him any more?—He asked me for more, and I told him I should give him no more.

3335. Have you given him any more?—He asked me to lend him some money.

3336. When was that?—I cannot exactly say what time it was.

3337. Was it before the polling day or after?—I think it was after the polling day, but I am not quite sure.

3338. Are you prepared to swear that it was after the polling day?—No, I am not.

3339. How much did you lend him?—He had been in the habit of doing business for me.

3340. Answer the question; how much did you "lend" him?—I think he might have got—I cannot exactly say without recollection—he might have got from 25 *l.* to 30 *l.* on loan.

3341. Were you the lender?—Yes.

3342. Did it pass from your hands to his?—It did.

3343. Tell the Committee what the sum was?—I think it was between 20 *l.* and 25 *l.*

3344. *Committee.*] Surely you can tell us whether it was one sum or the other?—I really cannot say.

3345. Did you give it in one sum?—I think not; but he had represented to me that he was very much injured in his business, and that he would work in this money in the way of his business for me and any persons I would send there.

3346. What was the sum?—Between 20 *l.* and 25 *l.*

3347. You told us at first that it was between 25 *l.* and 30 *l.*, and now you say it was 20 *l.* or 25 *l.*?—The money was not handed in in bulk, but at one or two different times.

3348. At how many different times was this loan made about the period of the polling day?—It might have been two or three times; I cannot exactly say; it is impossible at this time to say; with the extreme confusion that was prevailing in Drogheda at that time, it is impossible to remember.

3349. What was the aggregate of the whole of your loan to him?—It might have been, as I said before, 20 *l.* or 25 *l.* of loan.

3350. I want to know what it was?—It was either one or the other.

3351. Either 20 *l.*, 25 *l.*, or 30 *l.*?—No; either 20 *l.* or 25 *l.*

3352. Did

3352. Did you not tell the Committee at first it was either 20 *l.* or 25 *l.* ?—You are speaking of the committee-rooms?

3353. No; long since the committee-rooms. I asked you the amount of the loan, and you said first from 25 *l.* to 30 *l.* and then from 20 *l.* to 25 *l.* ?—I state, in consequence of the great confusion, I cannot remember the exact sum, nor whether it was on two occasions or whether there was a third occasion.

3354. *Committee.*] Give us the largest sum it certainly did not exceed; are you sure it did not exceed 30 *l.* ?—I should think not.

3355. But you are not sure?—I am pretty sure.

3356. All the different loans put together did not exceed that?—Yes.

3357. Mr. *Phinn.*] Are you prepared to swear that that was a loan?—It was a loan. I had previously employed him as a shoemaker, for the purpose of getting everything done at his house for a long time before hand, since 1852.

3358. You had employed him as a shoemaker?—Yes.

3359. And you gave him 35 *l.* for his rooms?—Three or four pounds, and three pounds.

3360. And you lent him from 25 *l.* to 30 *l.* ?—Yes.

3361. Did you take any security?—Not any.

3362. Or any acknowledgment?—No.

3363. Upon your oath was not that sum of money given him?—It was not given him finally; there was an understanding that he should work first, because I was in the habit of sending work to be done at his house.

3364. Your shoes and boots?—Not personally, but other persons.

3365. What other persons?—Labourers and other persons connected with an agricultural establishment.

3366. You have a small farm?—I am a proprietor and occupy some land.

3367. How much?—About 120 acres.

3368. Do you find your labourers in shoes?—Not altogether; they have orders for the purpose of going there sometimes.

3369. Did you ever find a labourer with a pair of shoes before this election?—I have ordered them to go to Mr. Cuney's house to deal with Mr. Cuney particularly, because he was a struggling and deserving man; to pay for their own shoes, of course.

3370. How was this 25 *l.* or 30 *l.* to be taken out in shoe leather?—I am speaking now of a period before 1857, but I am now speaking of a period after that.

3371. Then the agreement between you and Cuney was that you were to let him have this sum, not as a loan finally, but to be taken out in shoe leather?—Yes.

3372. Do you mean to represent that as the truth to the Committee?—That is a constant mode of dealing with persons of that kind in the country.

3373. Upon your oath do you represent that that is the agreement between you and Cuney, that that 30 *l.* or 25 *l.* was to be taken out by your labourers in shoe leather?—That was the understanding.

3374. Was it expressed?—It was.

3375. Who by?—I said it.

3376. You said what?—I told him that I should send orders there; and then the matter worked in, as I have done before on a former occasion with him.

3377. When have you done that before on a former occasion with him?—Subsequent to 1852.

3378. Was that subsequent to the election?—Yes.

3379. Had you given him some money then?—He applied to me at one time, that his son happened to enter the army, and he wished to have him got out, and every exertion was made for the purpose of getting him out without paying anything; and he was not able to get him out without paying, I believe, a large sum of money, and he requested me to advance him money on the occasion, which I did, and in consequence of that, the work which was sent to the house went against that.

3380. Did you get the money from your labourers for their shoes; is that what you mean?—I sent them there, and then sent all the work I could do on the part of others persons as well as myself to his house.

3381. Do the labourers pay for their shoes, and you take the money from them, or do they pay you for their shoes?—I have given them orders constantly in that way.

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3382. How was the money worked out?—By getting shoes and boots, and having boots repaired for members of the family.

3383. Did you not see Cuney at the election going through the mob with a jug of drink in his hand?—No; I did not see any such thing.

3384. Did you see him with a jug in one hand and a lot of notes in the other?—No, certainly; I did not most assuredly.

3385. Is this the first you have heard of it?—I did not hear of it before.

3386. Do you subscribe to the expenses of this petition?—I do.

3387. How much?—That I do not think I am obliged to say.

3388. I want to know your interest in this petition; do you subscribe 50 *l.*?—I do.

3389. Is that the extent?—That is the extent.

3390. Did you not see Cuney going through the mob; I suppose it is the father, shouting, "Mr. M'Cann will give nothing; Brodigan is the man"?—I did not see him at all; I never saw such a transaction.

3391. Not either of them?—Neither of them.

3392. I believe you were foreman of the grand jury when the compensations were discussed?—I was.

3393. Had you lent the money to Cuney at that time?—Before that time.

3394. Did you take part in assessing his compensation?—I was acting as foreman of the grand jury, and of course, as chairman of the grand jury, upon that occasion.

3395. Then you assisted to assess your own agent's compensation; is that true?—That is true; I could not do otherwise.

3396. Did not the majority of the grand jury protest against your acting in that way, and leave the room?—They protested against the matter being entertained by the grand jury.

3397. Did they not protest against your acting?—In what capacity?

3398. On the grand jury?—No; they did not.

3399. Acting as foreman?—They did not; that is not the fact.

3400. What did they protest against?—If you will allow me to state the circumstances it will be much better. The question of compensation for injuries done during election riots was brought before the presenting sessions, and they appealed. Then the matter was brought before the grand jury for the purpose of being reconsidered, and a portion of the grand jury, after the matter had been formally entered into and the parties sworn to entertain this question afresh, one person stated that he would move an amendment, and after some time, but after the matters had been fully entered into, he proposed an amendment that the matter should be left I think exclusively to the judge of assize, who would come there in about two days afterwards. In consequence of that, a proportion of the grand jury left the room most improperly, and I was subsequently obliged to act imperatively under the Act of Parliament to report their absence to the judge, which would subject them to a penalty of 40 *s.* each for having so done. The question of compensation was therefore entered into by the grand jury; it was entered into the books, and as chairman I was called on to sign it.

3401. And did you discuss the amount payable to your own agent?—The amount was discussed by the parties around, but I individually did not discuss any part of it, because I was acting ministerially.

3402. Did you vote upon it?—I cannot exactly say what was the amount of voting on either side.

3403. However, in your presence the compensation was determined?—Yes.

3404. And Mr. Jordan's compensation?—Yes.

3405. Was it reduced from 15 *l.* to 3 *l.*?—By his own acquiescence.

3406. But he claimed 15 *l.*?—Yes.

3407. And reduced it to 3 *l.*?—Yes.

3408. Did you apply to the judge to fine the grand jury who had left the room?—Not to fine them exactly.

3409. Did you report their conduct?—I did.

3410. And did he refuse to fine them?—He did not.

3411. Did he fine them?—No; but it admits of this explanation before you go further. I was obliged to report specially to the judge, and in a letter addressed from the judge he requested me to name the times they were absent, and if any inconvenience arose from their not being in a proper manner at the time present, and it appears that it requires 12 to be present, and on having heard from the judge,

judge, I went to the grand jury room for the purpose of so reporting, and amended the letter which had been sent in; and on reconsidering the matter with some grand jurors, we thought it better, inasmuch as the fiscal business of the grand jury was transacted satisfactorily in the main, they thought it better not to pursue the matter, but to submit the matter again to the judge. In consequence of that I went to the judge, and told him that as the grand jury matters were transacted satisfactorily, and as I had reported upon this matter and so far done what was required of me as foreman, that we were desirous of not pressing the matter of fines, and if it met with his acquiescence we should withdraw any application on the subject; besides, there was agitation in the town, and it would be better to do so. Judge Jackson was present, and fully agreed in that course that it would be better to let bygones be bygones, and not go further in the matter.

3412. When the compensation was decided on were you not sitting as foreman, Mr. Jordan on your right hand and Mr. Verdon on your left hand?—No, Mr. Kearns was on my left hand and Mr. Jordan on my right.

3413. Was Verdon there?—No, he was not; he might have been in the room.

3414. As one of the grand jury?—He was not; he was high sheriff.

3415. Was not complaint made to you, on the part of Mr. M'Cann's friends, that the drink that Cuney had given out of your money caused the row on the Tuesday?—At the time, on the day after the grand jury had been sitting, some persons stated so; but I told them I had no knowledge of such a transaction, and I was sure it could not have been proposed by such means; it is a mere assumption.

3416. You did not let them know that, on the week of the election, you had let Cuney have money to the amount of nearly 75 *l.* did you?—No.

Re-examined by Mr. *Hodges.*

3417. You have been asked with respect to the cost of the election; are you acquainted with the number of outvoters?—I do not know exactly what the number of outvoters is; living in England and Dublin and distant parts.

3418. Bringing in those outvoters did not enter into your calculation?—No; except those who might be in Dublin, and within railway distance, but not in England.

3419. Do you know that there are a number of voters residing in England, and Scotland, and some even in France?—There are some; I do not know to what extent.

3420. About 300 *l.* would be the amount you would be willing yourself to spend, I understand?—Yes.

3421. Have you been connected with the borough upon former occasions of elections?—In 1852; in 1847, I recollect the borough.

3422. You have been asked with respect to a gentleman not before the Committee, Mr. M'Ghee; did you know, when you employed Mr. M'Ghee, that he had been concerned as agent for elections here on several occasions?—Yes, he had been.

3423. What is Mr. M'Ghee?—He is a solicitor of the Court of Chancery; he is the registrar of marriages, a notary public, and practices in the common law courts.

3424. Does he live in Dublin or Drogheda?—In Drogheda.

3425. Was he not a person who had conducted several previous elections to your knowledge?—Yes; for many years.

3426. Did Sir William Somerville employ him?—Yes; in 1847, and I believe on previous elections.

3427. And on previous elections before that?—Yes.

3428. Sir William Somerville represented the borough at one time, I believe?—Yes; from 1836 to 1852.

3429. And had not Mr. M'Ghee acted as his agent on each of those occasions?—Yes; I believe so.

3430. Is not he a gentleman well qualified to conduct an election?—Particularly so; he is a person of great acuteness, and very clear, and very well versed in his profession, and is rather popular.

3431. My friend has asked you a great deal as to the election of 1852, and you mentioned there were 1,500 navvies ready to come into the town?—Yes.

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3432. Mr. M'Cann was then returned without a contest?—Yes; but he apprehended a contest.

3433. Were not those strangers brought into the town?—I do not know to what extent, but they were brought into the town to a large extent.

3434. And the people were tumultuous then?—Particularly so.

3435. And a system of intimidation was carried on in 1852?—At the time of the polling.

3436. Were any of the navvies brought into the town?—They were on the day of polling. I cannot say as to the day before.

3437. Were you a candidate then?—I was a candidate up to the evening before the nomination.

3438. What induced you to retire?—The cause of my retirement on that occasion was this; my committee, who consisted of about 10 or 12 persons, the chairman and other persons, were under the impression that my continuing when a third candidate was about to be brought forward, although I had a majority of 12 on a scrutiny, would be impracticable for the purpose of going to the poll, without having recourse to brute force.

3439. With respect to the amount you paid for these committee-rooms, do you know what the cost of fitting them up was; did he tell you that?—No.

3440. Are you acquainted with the ordinary charge for committee-rooms at Drogheda; do you know what has been paid by other candidates?—I believe sums of from 30 *l.* up to 70 *l.* and 80 *l.*

3441. Persons are not disposed to let their rooms for committee-rooms without being well paid?—No; they charge immensely.

3442. Especially where riot is expected?—Yes; it is difficult to get committee-rooms when they apprehend danger.

3443. And it is necessary to have them in a good situation?—Yes, in the central part of the town, and not in remote parts.

3444. With respect to this money you lent Cuney, how long has he been acting for you as an agent to let your houses?—Kelly was the person who lets the houses.

3445. You say that the 25 *l.* or 30 *l.* was to be returned in the shape of goods to be supplied?—Yes.

3446. Have any goods been supplied to your labourers since?—Not as yet, but they will be.

3447. Have you ever done that with your labourers before?—I have sent them there frequently.

3448. *Committee.*] For you to pay for them, or they to pay for themselves?—They were to get them free, I expect.

3449. And were you to settle with him afterwards?—Yes.

3450. Were they to repay to you the sum they paid?—It was stopped in account.

3451. How do you call it a parallel case to this; what I understand you to say now is, that Cuney is to repay to you this sum, by working it out for your labourers?—And my family.

3452. Then, are your labourers and family to repay the sum to you?—It would come interchangeably in our accounts.

3453. Mr. *Phinn.*] How many labourers have you got?—I dare say I have got about 10 or 12 persons constantly employed; it is grazing, not tillage.

3454. *Committee.*] They were to get the boots and shoes at this shop, and pay you instead of Cuney?—Yes; that is the way I should get it back; and that was done in 1852; that is constantly practised in the country.

3455. Mr. *Hodges.*] How many persons does Cuney keep in his employ as a shoemaker?—I do not know; but there are a number of persons who work for him throughout the town.

3456. Is he an industrous man?—Very much so, and a very honourable person.

3457. Did you give Cuney any instructions before the election, to give away beer or whiskey to the people?—I told him to avoid anything of the kind; that it was quite contrary to law, and an infraction of every rule of law.

3458. I think you say that Cuney represented to you that he had been obliged to give away beer to get rid of the people?—Yes.

Examined by the *Committee.*

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3459. Were you summoned to come here as a witness, or did you volunteer?—I volunteered; I stated that I was one of the parties subscribing to the presentation of the petition, and being aware of all the scenes that took place, and the extreme violence, I was quite disposed to appear as a petitioner.

3460. You were not summoned, but you came as a volunteer?—Yes.

3461. Are you residing in London?—Yes, I reside in London the greater part of the year.

[The Witness withdrew.

Captain *Alexander George Moore* was called in; and having been sworn, was Examined by Mr. *Hodges*, as follows:

Captain *A. G. Moore.*

3462. I BELIEVE you are Captain in the 7th Dragoon Guards?—I am, on half-pay.

3463. And you are aid-de-camp to Lord Seaton?—Yes.

3464. You were one of the candidates at the last election at Drogheda?—I was.

3465. Can you state on what day it was that you arrived at Drogheda? was it on the Saturday or on the Friday?—On the Friday evening, I believe.

3466. On your arrival, did you meet your friends there?—Yes.

3467. And did you commence your canvass?—Not on the Friday evening; I think I did not commence my canvass until the Saturday morning.

3468. During the Saturday and Monday, did you see the electors?—Yes; on the Saturday, the Monday, and part of Tuesday.

3469. I believe Mr. Mayne, of Dublin, was your agent there?—He was.

3470. Did he accompany you to Drogheda?—He did.

3471. After you had issued your address, and seen the electors up to the Monday, how did your prospects appear?—Extremely good; in fact they appeared every day better; on the Saturday they appeared very good; on the Monday they were still better, and on the Tuesday morning they appeared almost certain, as far as I could understand from my Committee, and from the list which was made out.

3472. Did they go over the register and make a report to you?—They did.

3473. And the report was favourable, was it?—Yes.

3474. How did the non-electors receive you and your friends?—During the Saturday and Monday; I think the Monday particularly, we were very well received; on the Saturday I do not think there was any demonstration, either one way or the other.

3475. What made you think you were well received by the non-electors?—On the Monday, on one occasion, in the middle of the day, I recollect most distinctly being cheered in the street; that may have occurred on two occasions, but I only recollect one.

3476. Did you observe any change in the state of the town, after Monday?—Yes; on the Tuesday, in a short canvass which I made, we were not so favourably received by the non-electors.

3477. On the Tuesday evening, on returning from the canvass to your committee-rooms, did anything happen to you or to your friends?—Yes; we were coming up Peter-street, and for some time we had been followed by a crowd, hooting and making a considerable noise, and just as we arrived at the steps of the committee-room a rush was made, and we were followed into the house by several of the crowd. We faced about, and were occupied for several minutes in a hand-to-hand fight with these men, to prevent their getting into the house.

3478. Was the conduct of the mob violent?—Very much so.

3479. Did you succeed at last in closing the door?—Yes.

3480. Was any damage done to the windows of the committee-room after that?—Yes; every one of them was broken, I believe.

3481. Was there a large mob collected in front?—Yes.

3482. Did any stones come into the room?—Yes; some very large stones indeed came in, and one fell very close to me, I recollect.

3483. Was it a large mob outside?—Yes.

3484. On the following day, the Wednesday, the nomination day, do you remember

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remember going from your committee-room to the town hall with your friends in the morning ?—Yes.

3485. We have heard that there was a great deal of confusion outside the court when you arrived ?—Yes ; it was with great difficulty that we could get through the mob, and eventually the constabulary had to form a circle round us with fixed bayonets, and a great number of stones were thrown, and fell in the crowd about me. I was not hit by any of them ; but they fell near me, and around me ; and we stood outside the door for some minutes under these circumstances.

3486. Was the conduct of the mob violent ?—Very violent.

3487. At last did you succeed in getting into the court-house ?—Yes ; I got in with a large rush of people.

3488. Was the first a severe rush ?—While we were going in there was a crush.

3489. By and by the town hall became very full ?—Yes.

3490. And there was a great deal of tumult, we hear ?—Yes.

3491. You could not make yourself heard, I believe ?—No ; it was impossible.

3492. I suppose you wished to address the electors, if you could be heard ?—I spoke for some minutes, but I do not imagine that anybody heard me.

3493. A report of your speech, however, got into the newspaper afterwards ; can you explain to the Committee how that was ?—I drew up an outline of what I had said after we retired, and gave it to Mr. Mayne, or some one ; I do not recollect who.

3494. Did you put down on paper what you had intended to say ?—I put down what I did say, as far as I recollected it.

3495. And what did you request Mr. Mayne to do with it ?—I almost forget ; but I recollect I was advised to put down what I had said in the court-house in order that it might be made public.

3496. Did you afterwards see that statement in the newspaper ?—I did.

3497. Was that the statement which you had given to Mr. Mayne ?—I believe it was.

3498. After the proceedings that took place at the town hall did you go towards your committee-rooms ?—Yes.

3499. Immediately ?—Yes.

3500. How did the people conduct themselves then ?—They made great demonstrations of dislike. There were no stones actually thrown or blows struck ; but they were spitting and abusing, and so on, and shaking their fists and sticks.

3501. *Committee.*] There were no stones thrown ?—No ; I think not in our way from the town hall to the committee-room.

3502. Mr. *Hodges.*] Did you that same evening see Mr. Smith, the chairman of your committee, and did he make a communication to you ?—Yes ; almost immediately afterwards.

3503. What did he say ?—His first words were, that they had been working out the lists and found that there was a clear majority of about forty. Then he went on to say, " The cards are in our hands and the game is to be won ; but it will only be at the expense of bloodshed, and probably of human life. It is for you to say whether you can conscientiously go on under these circumstances." He said, " As I am myself living in Drogheda, it will be a most unpleasant thing for me, if anything serious were to occur, and I should never be able to show my face again." In short, he recommended me to retire. I replied, that if his opinion was shared by the rest of the committee, and if they felt with him that there would be this bloodshed and probable loss of life, I felt I had no alternative but to retire. He again consulted with the committee with the same result, and I, upon that, wrote a letter to my opponent.

3504. He did retire to consult your committee ?—I believe he did.

3505. And was that the ground upon which you retired from the contest ?—It was.

3506. There was something said about your qualification. It is said that a demand was made for your qualification. You were prepared, I believe, to return it ?—Yes ; Mr. Mayne had anticipated that a demand would be made for my qualification, and I had sent for my agent to come from the North of Ireland with such papers as would prove it ; and I sent a declaration of my qualification before my nomination.

3507. You were prepared to make out your qualification if it was required?—I was.

3508. Had your qualification anything to do with your retirement?—Nothing in the world.

3509. Are you amply qualified?—I am amply.

3510. When your committee represented to you that it would be prudent for you to retire, did your own opinion and observation correspond with theirs as to the then state of the town?—Quite so; but I felt that they were better able to judge of it than I was, and therefore I left it in their hands. My own observation, however, quite bore out what they said.

Cross-examined by Mr. *Phinn.*

3511. Was this your first experiment in electioneering?—Yes.

3512. Are you a public school man?—I am.

3513. Are you an Eton man?—I am.

3514. Then you have seen the rush into the upper school there?—Yes.

3515. Was this a bit worse than the rush into the upper school?—I think that the rush into the upper school is as bad as anything can be without actual violence.

3516. This was about the same?—Pretty much the same.

3517. You have seen such a thing as an ink-bottle thrown in the rush into the upper school, I dare say, before now?—Yes; and heads broken too, and a good many.

3518. So that to you, with your experience at Eton, this was not so formidable an affair as it seemed to some people?—That is a difficult question to answer; it seemed to me very formidable.

3519. After what you had seen in the upper school at Eton?—Yes.

3520. And after foot-ball?—Not so bad as football, perhaps; but you do not remember the difference in years between men and boys.

3521. Had you any discussion with your committee about expense?—I said this, that I should not sanction a shilling being expended in any way that was not legal. I said to Mr. Mayne and to my committee that I would not sanction the expenditure of a single shilling in any way that was not strictly legal.

3522. Was any estimate given to you of the probable expense?—None beyond Mr. Mayne saying that he believed the expenses might come to sixteen or seventeen hundred pounds; and he said at the same time, "I am above the mark; I always like to be so; but I do not think it will be so much."

3523. When did he mention that to you; was that at Dublin before you came to Drogheda?—No.

3524. Who was the first person you saw on the subject of this Drogheda election, or what was the first communication you received upon the subject?—I merely heard it as a rumour that there was an opening for a Conservative at Drogheda.

3525. When was that?—Ten days before I went, probably.

3526. Was any application made to you before the Thursday or Friday immediately preceding the election?—On the Thursday there might have been; or possibly on the Wednesday.

3527. Are you sure whether any was made to you actually before the Friday?—I am quite sure that there was on the Thursday.

3528. Was it written, or was it by you seeing somebody?—By my seeing somebody.

3529. Who was it?—Colonel Taylor.

3530. Is that the Member for the county of Dublin?—Yes.

3531. Subsequently to that, did you see Mr. Mayne?—I did.

3532. On the Friday?—Yes.

3533. Was no mention made of the expense before you got to Drogheda?—The word "expense" might be mentioned, but no actual estimate was made at that time.

3534. Had not a sum been mentioned to you as early as that?—Not the sum I have given to you.

3535. When was that mentioned to you?—I am not certain of the day, but it was some time between the Sunday and the day of nomination.

3536. Did not the chairman of your committee, Mr. St. George Smith, mention the sum of 1,500 *l.* to you as early as the Saturday?—I do not recollect it.

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3537. Did you discuss the question of expense with other members of your committee?—I do not recollect it at this moment; I will not say that I did not, but I do not recollect discussing it at this moment except with Mr. Mayne and Mr. Smith.

3538. Did Mr. Smith tell you as early as Saturday that it would cost from twelve to fifteen hundred pounds?—I cannot say; I believe that nothing was said to me between the Saturday and the day of nomination. I believe that the affair I have mentioned, was mentioned to me some time between the Saturday and the day of nomination.

3539. Was the question of expense discussed on the day of nomination?—No; I am sure it was not.

3540. Was anything mentioned as to the freemen to you; that they would expect money?—Not a word.

3541. Are you sure of that?—Perfectly certain.

3542. By no member of your committee?—By no member of my committee.

3543. Did you see Mr. M'Cann after you had retired?—I did.

3544. Did you shake hands with him?—I did.

3545. Did you thank him for the gentlemanly way in which he had conducted himself?—I do not recollect that I did; I do not say I did not, but I do not recollect it.

3546. Did you see him at your hotel?—I saw him at the hotel I was stoping at.

3547. Before you retired did you see Mr. Derenzy, the stipendiary magistrate?—I saw him on the Tuesday evening, when Mr. Mayne sent for him to swear a declaration that our lives were in danger, and that the house was being attacked.

3548. Do you know Sir William Gordon?—Yes.

3549. Had you discussed with him before you retired whether it was possible to disperse the crowd?—I did not see him on the nomination day to speak two words to him; in point of fact, I do not think I had five minutes' conversation with him the whole time I was in Drogheda.

3550. Did you know the officer in command of the company of infantry there? No; I did not even know that there were any infantry there.

3551. Not up to the moment you retired?—No; nor afterwards.

3552. You are aide-de-camp to the commander-in-chief of the forces?—Yes; but I do not keep a roster of the division of the forces.

3553. But you did not know that there was a company of infantry within ten minutes' walk of your committee-rooms?—No; nor within 10 miles of Drogheda.

3554. You had had no discussion with any of the authorities as to the possibility of protecting your voters up to the poll?—No; I conceived that there would have been quite time enough for that on the Thursday; it was on the Wednesday that I retired.

Re-examined by Mr. *Slade.*

3555. I suppose the question was not so much, whether there was force enough to repel those rioters, as whether there was danger of loss of life if force should be had recourse to?—That was the question.

3556. The troop of lancers would have been sufficient to disperse them if they had poked their lances into them?—Yes.

3557. You have been asked about Eton; I suppose they do not spit upon each other there?—No; and I think that there one's life is safe, but I do not think that mine would have been safe if I had gone on.

Examined by the *Committee.*

3558. When your committee spoke to you upon the subject of your retirement or resignation, and of the probability of rioting in the town, was any suggestion made as to a petition?—Not a word was said upon the subject.

3559. Mr. *Phinn.*] I think you have nothing to do with this petition?—No; I have not.

[The Witness withdrew.

[Adjourned to To-morrow at Eleven o'clock.

Martis, 4° die Augusti, 1857.

Mr. *Bernard Kelly* was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Mr. *B. Kelly.*

4 August 1857.

3560. ARE you the election auditor for Drogheda?—Yes.

3561. Will you be good enough to produce the accounts that have been returned to you?—(*The Witness produced them.*)

3562. Are those the original accounts?—Yes.

3563. Are these Mr. M'Cann's accounts?—Yes. (*The accounts were put in.*)

3564. There are five booth inspectors, charged at six guineas each; do you know who those inspectors were?—Yes, I think so.

3565. Was Mr. M'Kenna one of them?—I think not; I am not certain.

3566. Mr. *Phinn.*] You know Drogheda well, do you not?—Yes; I am a native of it; I was born in it.

3567. Mr. *Hodges.*] I see that Mr. Rath was appointed agent for election expenses?—Yes.

Cross-examined by Mr. *Phinn.*

3568. Have you been sub-sheriff of Drogheda for many years?—For 11 years.

3569. This Cappock's Hotel is the principal hotel there, is it not?—It is one of the principal hotels. There are two extensive hotels, and that is one of the principal hotels.

3570. Is this room the chief room in the hotel; this large room with the balcony?—I would say so.

3571. You know where Caney lives, do you not?—Yes.

3572. What sort of a house is his, a 10 *l.* house?—An ordinary house in that street; I suppose it is 12 *l.* or 13 *l.* a year; I would say so to the best of my belief.

3573 Have you attended the elections at Drogheda for some years?—Two prior to the last.

3574. As sub-sheriff?—As sub-sheriff.

3575. Taking it generally, what was the state of the town during this election?—Do you speak of what came within my own observation?

3576. Yes?—On the days of the nomination and polling I can speak to what came within my observation.

3577. Just mention it to the Committee?—Compared with former elections, would you say?

3578. Yes?—Compared with the election of 1847, I would say that the excitement the last time was not so great as during the election of 1847, from what came within my observation.

3579. I believe you are related to Mr. Brodigan?—Yes.

3580. You are a first cousin of his?—Yes.

3581. *Committee.*] That was a contested election in 1847, was it not?—Yes; between Sir William Somerville and Mr. Murray.

3582. Mr. *Phinn.*] I believe on that occasion you got through the polling, though you had to escort the voters up to the poll by military?—We had in 1847 a considerable constabulary and military force.

3583. And they escorted the voters to the poll, did they not?—As well as I can recollect, in some instances they did.

3584. Do you know Mr. Verdon, the high-sheriff?—Well.

3585. Do you recollect, at the time of the election, his making an observation to you as to the state of the town?—No; I cannot charge my memory with it.

3586. You know something of the town; we were told that the estimate of expenses for Captain Moore, was from twelve to fifteen hundred pounds?—I cannot say anything about that.

3587. Are you aware of any legitimate election purpose to which such a sum could be applied in such a town as Drogheda?—I think not.

Mr. *Hodges* objected to the evidence.

Mr. *B. Kelly.*

4 August 1857.

3588. Do you know of any such number of out-voters as would justify such an amount being expended as 800*l.* or 1,000*l.* Do you know of any number of out-voters that would justify an outlay of from 800*l.* to 1,000*l.* to bring them up to the poll?—I am not aware of the number of out-voters.

3589. Are you aware that the constituency is about 650?—Yes.

3590. From your knowledge of them, are they principally residents in the town?—Yes, principally.

3591. To your knowledge, is there a great proportion of them living out of the town?—To my knowledge, I think there is not a great proportion.

3592. Have you at all attended to the register, you being sub-sheriff?—No; it does not form part of my duty.

3593. We have been told that Captain Moore anticipated a majority of 40 or 50; from your knowledge of the town, do you think that probable?—I think not.

3594. Do you think it possible without bribery?—I think that more than ordinary means must be resorted to.

3595. *Committee.*] Have you been auditor on former occasions?—No; this has been the first election.

3596. On former occasions you have been sub-sheriff?—Yes.

3597. You are not now?—No; I resigned the office last February.

Re-examined by Mr. *Hodges.*

3598. I see that Mr. M'Cann's expenditure amounts to 326*l.*?—Yes; 326*l.* 10*s.* 5*d.*

3599. You gave some evidence about the number of voters; do you know where the out-voters are? You know, do you not, that there are some persons residing away from Drogheda?—There are some.

3600. Do you know whether some of them happen to be living in France?—No, I am not aware of it.

3601. Do you know whether some of them are living in Scotland?—I am not aware of it.

3602. Are you aware of any living in England?—I have seen accounts of a few, a very few, living in England; I speak from my recollection of what I read of the list.

3603. Do you know whether others are living in remote parts of Ireland?—Yes; I believe that; but they are few in number.

3604. How long did the election last in 1847?—Do you speak of the polling?

3605. Yes?—It commenced in the morning, and terminated in the afternoon.

3606. What number of troops were brought in?—I cannot tell; we had cavalry, and a very considerable force of constabulary; at each of the booths we had police constables; perhaps from eight to a dozen.

3607. Was there very great violence used upon that occasion?—There would have been but for the interference of my late colleague, the then sheriff, and myself.

3608. As it was, were persons injured?—I did not hear of any injury.

3609. Were there any houses racked?—I heard of panes of glass being broken.

3610. Do you know of houses being racked on this occasion?—I have heard of it.

3611. Do you mean to say that there was as much injury done to the houses in 1847 as there was at this last election?—I would say not.

3612. Much less injury, was there not?—I think, owing to the great force we had in the town, there was less injury, but the excitement was great.

3613. You know that considerable damage was done at the last election?—Yes.

3614. Do you know that there were as many as ten or eleven houes injured?—I cannot say what number of houses were injured; in fact I was not out after four o'clock in the evening, even on the day of the nomination.

3615. If you were not out, you could not tell what was going on much?—I speak of the last lection; not being officially connected with the preservation of the peace, I was not out much.

3616. You live out of the town, do you not?—Yes; in the county of the town of Drogheda, but in the suburbs.

3617. *Committee.*]

Mr. *B. Kelly.*

4 August 1857.

3617. *Committee.*] Were the military and constabulary forces in 1847 more numerous than in 1857?—As well as my recollection serves me, I think they were.

3618. That was an election where there was a poll taken?—Yes.

3619. Here there was no poll?—No; and the election was then carried by Sir William Somerville, by a small majority; here there was no opposition at the polling, except Mr. Brodigan, who polled a few votes.

[The witness withdrew.

Mr. *John Thomas Rowland* was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

Mr. *J. T. Rowland.*

3620. WHAT are you?—A solicitor.

3621. Do you reside at Drogheda?—I do.

3622. Were you a voter at the last election?—I was.

3623. Have you been acquainted with former elections?—I have.

3624. Have you acted as agent in former elections?—I have.

3625. In what year did you act as agent?—In 1847, when there was a great contest in Drogheda between Sir William Somerville and Mr. Murray.

3626. *Committee.*] Did you act as agent upon this last occasion?—I did.

3627. For whom?—For Mr. Moore.

3628. Mr. *Hodges.*] Do you remember the evening of Wednesday, the day of the nomination?—I do.

3629. Do you remember the Tuesday evening?—Yes.

3630. Did anything happen at your house?—Yes; my house was attacked by a furious mob.

3631. About what o'clock was that?—About eight o'clock in the evening.

3632. Were your windows broken?—Scarcely a pane was left whole in my house; it was fearful, as far as the breaking of glass went.

3633. Who was at home at that time?—Myself, my wife, my two servants, and five children; indeed I think six children; I really forget the number.

3634. Were you a good dead alarmed?—I was so much alarmed at one period, that I went to the side of my office to charge my gun; I believed that my life was in positive danger; but I considered it would be very foolish in me to do so, and I stopped; I thought that human life was a very serious matter, and that I would not load my gun; I had it in my hand.

3635. Was the conduct of the mob very violent?—Exceedingly violent; they attempted to force in my door after having broken my windows; and I put on a light cap, buttoned up my coat, and went to my door, and made a rush at them, and knocked down two men on the broad of their back, and that kept them quiet for two hours or so.

3636. At the end of that time did they come back again?—No; but I saw them attempt to break into my father's house, who is also a voter, with a sledge hammer.

3637. Was that the same evening?—Yes.

3638. How far off was your father's house?—Next door.

3639. Did they break his windows?—Yes; and since then he has had a presentment before a grand jury, and has been allowed compensation for a malicious injury.

3640. Do you know how much he obtained?—I think about 2 *l.*

3641. That was about two hours after they attacked your house?—No, it was about the same period; and it was on the occasion of my going to the door to see if the mob was very large, that I saw them attack my father's door; and I went boldly to my father's door, and hurled the fellows from it, and one of their coats was caught in the door.

3642. Have you a brother a voter?—Yes; he lived next door to my father.

3643. You are all living in the same street?—Yes.

3644. Was your brother's house injured?—My brother had a place of business, a large warehouse, which was completely closed; and he had the advantage of shutters outside, which I had not, and that saved his house; but he himself was frightfully beaten by the mob, and had to take refuge in the house of a man named Mr. Geough.

3645. I believe your father and brother voted at the last election, did they?—

Mr. *J. T. Rowland.*

4 August 1857.

I am not personally aware, but I believe my father did vote afterwards for Mr. M'Cann, at which I was somewhat surprised, although it was accounted for fully afterwards, when I looked into the matter.

3646. Were you with your father when he voted?—No; I think my life would not have been safe if I had gone there; but I left the town on the day of voting.

3647. Why did you leave it?—My business took me away. My father has a large number, I suppose 500 or 600 weavers in his employ; and that may have influenced him in voting for Mr. M'Cann afterwards, because there was a fearful outrage of the mob there, and party spirit and religious feeling and acrimony ran very high; and I believe firmly that that was the chief reason that led him afterwards to vote for Mr. M'Cann.

Mr. *Phinn* objected to the evidence.

The *Witness.*] There had been a very great turn-out, as it is called, of those weavers in Drogheda, and an exceeding deal of violence. Some of them had been lately prosecuted, and had been put to gaol, and imprisoned for their intimidation of the workmen of my father; and I have no doubt that that had a great effect with my father.

3648. I do not know whether you were present when any injury was done to your father?—No, not to him personally; I saw his house attempted to be broken in by a sledge hammer.

3649. Did you see him after he had received any injury?—I did.

3650. When was that?—Immediately after he had been attacked in the street, and he told me that he had to give the mob money.

Mr. *Phinn* objected to the evidence.

3651. Were you in Captain Moore's committee-room on the evening when the attack was made there?—I was.

3652. We heard something about the violence used there; what did you see yourself?—The committee were in an inner room; the clerks were in the outer room, what may be called the drawing-room, near the street; and the committee were seated in the inner room. I was in that inner room, and having heard a fearful crash of the windows, we in fact ran out in a body from the inner room to the outer room.

3653. *Committee.*] Was that the evening before the nomination?—It was on the Tuesday evening; and there we beheld stones as large as my two hands come into this drawing-room on the floor beside us, and smashing everything before them; the framework of the windows was broken through, even at that height; the drawing-room, I suppose, is at all events 30 feet from the street; and notwithstanding that, so great was the force of the stones, that the framework was broken in; and while we were thus looking on at what was taking place in the drawing-room, and Mr. Mayne was preparing an information requesting protection, we heard a fearful onslaught on the hall door beneath; and presently the hall door was smashed in. We all went down in a body, and had to repel force by force, at the risk of our lives. I had to struggle with one ruffian, and to exert all the physical force of which I was possessed, and with great difficulty we pushed them out of the hall. There were policemen in the street at that time, but they never interfered.

3654. Did you see a gentleman named Shaw, a voter?—I did, fearfully injured; he received a blow on his head, and a great pressure on his breast, for which he suffered, to my own knowledge, for some time.

3655. *Committee.*] Was he one of the committee?—No; he was a voter.

3656. Mr. *Hodges.*] I understand that you were present in the courthouse on the day of the nomination?—I was.

3657. Did you see any assault committed on Mr. Mayne, Captain Moore's professional agent?—I did.

3658. You were close by him?—I was.

3659. Just state the sort of attack you saw made?—We had great difficulty in arriving at the court-house at all; the police were attacked by the mob in order to get at us, and I saw one policeman carried off as if dead. However, after a great struggle, we got into the court-house, and Mr. Mayne got upon the bench; on that part of the bench where the judges sit; one end of it; there was a part of the gas-fitting standing out from the desk, and I saw Mr. Mayne grasp hold of it,

it, when one of Mr. M'Cann's committee, named Johnson, a publican, caught hold of him, and attempted to hurl him beneath; I caught hold of Johnson, and prevented him. If Mr. Mayne had fallen down, I believe he would have been in the hands of a merciless mob, that would have torn him to tatters.

3660. Did you hear any person address Captain Moore?—I did.

3661. Who was it?—Another member of Mr. M'Cann's party, who was very active for him. I do not know that he was on his committee.

3662. What was his name?—Thomas Conolly.

3663. What did you hear Conolly say to Captain Moore?—He raised his fist thus (*describing the action*) to Mr. Moore's face, and he said, "If you dare speak, you will get it." At that time he was within two feet of the sheriff, and the sheriff must have heard it, and the mayor of the town heard it, or at least he ought to have heard it; and at the same time stones were flung at Mr. Moore; one struck immediately above his head and mine; I was standing by his side; it was a large stone; it struck against the oaken pannel.

3664. Was Mr. Jordan ill-treated?—I saw Mr. Jordan most miserably abused. I never felt more pity for a human being than for him, in consequence of the way in which he was treated. He is a gentleman by rank and by manners; and he certainly was treated in the most fearful manner I ever saw. I saw a crowd, to the number of fully 20 to 30, beside him put their hands to their nostrils, and throw saliva on his face and clothes, and he presented the most fearful sight I ever saw.

3665. Was anything done to his dress?—His dress was completely spoilt with the saliva.

3666. Did you see whether his coat was torn?—Completely torn.

3667. You say you were at the election in 1847?—I was.

3668. Comparing the violence you saw on the last occasion with the occurrences you recollect in 1847, which was the most violent?—There was no violence in 1847. I was then for the Liberal party; on this last occasion I was for the Conservative party; on that occasion all the violence must have been undoubtedly on the part of the Liberals, for Sir William Somerville had been in possession of the borough for a space of years, and he had hosts of friends; but there was not a blow struck to my knowledge on that occasion; not a single blow at that election; while at this election I saw men knocked down in the street in the open day.

3669. And at that election were all the speakers heard?—Every one. Sir William Somerville was the unpopular candidate, and he was heard, every word; every word was heard.

3670. It was quite a different state of things altogether?—Totally different.

3671. Did you observe any priests in the Town-hall on the day of the nomination?—I did.

3672. Did you see the Rev. Mr. Hanratty there?—I did.

3673. Did his conduct attract your attention?—It did, in a most decided manner.

3674. Tell the Committee, if you please, what you observed him do or say?—The Rev. Mr. Hanratty is the immediate priest under the Roman-catholic Archbishop of Ireland—Drogheda, I believe, is a parish by the support of the Roman-catholic Archbishop of Ireland, and the Rev. Mr. Hanratty is the first priest in that parish—the parish of Saint Peter's, Drogheda; he owns no superior in any respect but the Archbishop of Armagh, his immediate Bishop, and he lives in the Archbishop's own premises in Drogheda. I saw him on that occasion, and I heard him speak; he addressed the crowd in very energetic terms; he had his speech prepared; it was written, and he had it in his hat, and read the chief parts of it from his hat, so that if he is examined before this Committee, it is probable that the heads of his discourse may appear. I heard him say upon that occasion that this was a contest between Roman-catholics and Orangeism.

3675. *Committee.*] Was this at the nomination?—Yes; and he was the nominator. He said it was a battle between his religion and the Protestant religion. He said that Mr. Moore was a bigoted northern Orangeman; he said that he was a member of the Orange order too; and that every voter who would vote for Mr. Moore, would vote against his religion and against his God; and that he would be voting for the opening of the nunneries to such young men as those (he said), pointing to the young Mr. Smiths, who were in a large number on the list of voters in Drogheda, "to come in and visit your sisters and your friends at all

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hours, and at any period that they chose." Says he, "Let me tell you that the Protestant religion is hell itself; it is an outrage upon historic fact." He also called upon the sheriff to admit the people into the court-house.

3676. *Committee.*] Was it in his speech that he said that?—No.

3677. Mr. *Hodges.*] Do you recollect anything more?—Nothing to which my attention was drawn. I heard him call upon the sheriff to admit the people; the sheriff, in my mind, very properly said, "Police, admit every voter into this place." "No," said Mr. Hanratty, and "No," said young Mr. M'Cann, "admit every one of the people;" and the sheriff repeated again, "Admit the voters; keep no voters out." But again the cry was raised, "Admit the people," meaning the mob; and thereupon the sheriff seemed completely cast down. He wiped the perspiration from his forehead, and he said, "Let them in;" and young Mr. M'Cann went along by the gallery, and leapt down towards the door, and forcibly dragged in the people through the police. What I mean by the people is people in the garb of coal-porters and countrymen, who had come in from the Meath side to support Mr. M'Cann, and to form his mob. I saw large bodies of men march in from Meath, from Mr. M'Cann's residence, to form a mob for Mr. M'Cann, in the town; they came in, and did act as his mob, but that is all I know

3678. Did the violence continue after the meeting in the Town-hall?—It frightfully increased after the speech of Mr. Hanratty.

3679. If Captain Moore had gone on with the election, would it have been safe for his voters to have gone to the poll, in your opinion?—My belief is, that it would not have been safe, either for his own life, or for the life of any man that attempted to vote for him.

3680. Can you say whether, in your judgment, the excitement arose from the speeches addressed to the people by the priests?—There is no doubt of it; as to the impression of the crowd, and what they thought was the tendency of the priests I can speak.

3681. *Committee.*] Your opinion is, that the excitement was caused by the speeches of the priests?—Most undoubtedly.

3682. At the nomination?—And elsewhere, from the balcony at Cappock's Hotel; most fearful language was reported to me.

3683. Mr. *Hodges.*] Did you go over the register of voters with a view to see what prospect of success Captain Moore had?—I did.

3634. In your judgment what was the result?—In my judgment Captain Moore would have had a majority of 20, supposing that a certain large party deserted us; and in case they did not desert us, we would have had a majority of nearly 100.

3685. At all events you would have had a majority of 20?—Yes, most undoubtedly, and the other party were equally aware of that fact.

3686. You mentioned the Archbishop of Armagh just now; is he called the primate?—By his own party he is called the primate of all Ireland, and he is looked up to as such.

3687. *Committee.*] What are the number on the register now, do you know?—I have come wholly unprepared to state

3688. In a certain book of some authority it is put down at 586?—There are upwards of 600, undoubtedly.

3689. Mr. *Hodges.*] I am drawing your attention to an answer you gave just now; you say that the majority was in favour of Captain Moore, and the other party knew it?—Most undoubtedly.

3690. How do you know they knew it?—It is a matter of private conversation; but at the same time it was under no veil of secresy that it was stated to me.

3691. Who was the gentleman who made the statement to which you refer?—It was Mr. Thomas O'Hagan, Queen's Counsel; now, I think, assistant barrister for the county of Dublin.

3692. He was employed by Mr. M'Cann as his counsel, was he not?—He was; he came into Mr. M'Cann's committee-room, and acted and gave him his advice; I do not believe that he was a paid agent, nor do I believe that he would have accepted payment for such an office; he was counsel for Mr. M'Cann.

Mr. *Phinn* objected to the evidence, and submitted that Mr. O'Hagan was not an agent whose statements were admissible against the Sitting Member.

Mr. *Slade* was heard against the objection.

3693. *Committee*]

3693. *Committee.*] Was Mr. O'Hagan there during the whole of the election?—He was, and on the bench in the court-house at the time of the nomination.

3694. When did the conversation take place?—Some time after the election.

3695. How long?—Perhaps a month.

3696. At what period did this conversation pass?—At some period after the election; perhaps a month.

The *Committee* determined that the statement of Mr. O'Hagan should not be admitted in evidence.

Cross-examined by Mr. *Phinn.*

3697. This was a private conversation between you and Mr. O'Hagan?—It was not a secret conversation; it was in the public hall of the Four Courts, where there were thousands round us listening, or engaged in conversation.

3698. You say your father asked for compensation?—He got it.

3699. Did you attend as his attorney?—I did not.

3700. Do you know that the compensation he got was 10 *s.*?—I do not.

3701. Did you tell the Committee that it was 2 *l.*?—I told them I thought it was about 2 *l.*

3702. Upon your oath, do you not know that it was only 10 *s.*?—I do not.

3703. Is your father's name John Rowland?—It is.

3704. Do you mean to tell the Committee, on your oath, that you do not know he only got 10 *s.*?—I do not know, upon my oath.

3705. What reason had you for saying it was 2 *l.*?—From the quantity of glass that was broken, and from my having heard that other parties got about that sum.

3706. So that you intended to convey to the Committee that you believed your father got about 2 *l.* from what you heard other parties had got, and the quantity of glass broken?—Yes.

3707. Did you take any pains to make yourself acquainted with the sum he actually got?—I did not; I never asked any person.

3708. Your father is a large linen weaver, is he not?—Not a weaver; he is a manufacturer and employer.

3709. He employs people as a linen weaver?—He employs people to weave.

3710. Had his people been out on strike about four months before the election?—So they had with regard to the other manufacturers of the town.

3711. Had they been out for four months?—Several months; I do not know how long.

3712. Three or four months?—Yes.

3713. Had there been complaints made of their conduct previous to the election, these weavers?—Of what nature?

3714. Of their conduct?—Complaints to whom?

3715. Complaints to anybody?—They had held field meetings, and all that sort of thing.

3716. And had denounced, had they not, the linen merchants?—Now you want me to go to hearsay.

3717. You will not tell me; are you not aware of the fact?—I am not aware of it personally.

3718. That is to say you did not attend the meetings?—Certainly not.

3719. Did you attend at the last assizes?—I did not.

3720. Were you aware that there was an indictment against them for a conspiracy?—I was, by hearsay. I was not present at the assizes.

3721. Are you aware whether they had been charged with assaults previous to the election, these weavers on strike?—Not personally.

3722. That is to say, you do not know it of your own knowledge?—I do not.

3723. You had heard it, I suppose?—I had heard various parties say that weavers had met weavers outside the town, and beaten them, because they had taken work, and all that sort of thing.

3724. These men were out on strike some time before the election, and their conduct had been complained of; is that so?—Certainly.

3725. Were any other linen merchants' shops attacked besides your father's at the election?—I am not personally aware.

3726. Did you see the glass broken of any other linen merchant besides your father's?

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father's?—I think that all the other linen merchants, except my father, acted for Mr. M'Cann.

3727. Did you see no other linen merchant's windows broken except your father's?—Not one; nor was there any other linen merchant who acted for Mr. Moore; all the others voted for Mr. M'Cann, and were perfectly safe; and if I had acted for him, I should have been perfectly safe also.

3728. Had you not been agent for Mr. Murray?—Yes.

3729. He was a Repealer, was he not?—He was a pretended Repealer.

3730. But you supported him, did you not, for pay?—I was paid, after a great deal of trouble; I had to put him to gaol before he paid me; I put him in a crib in Dublin.

3731. Do you mean to represent, upon your oath, that that was a perfectly quiet election?—There never was a quieter election in Drogheda, I believe; it was perfectly quiet as compared with this.

3732. Do you mean to represent to the Committee that there was no violence at that election?—I do not believe there was a single person knocked down at that election; they were knocked down by dozens at this election.

3733. Was there no violence in 1847?—There was not.

3734. Upon your oath, were not the voters escorted to the poll by the military?—That is quite consistent with there being no violence.

3735. Were not the voters escorted to the poll by the military?—I do not know.

3736. Do you mean to swear that?—I do positively.

3737. Upon your oath, sir, do you not know that Sir William Somerville's voters were escorted to the poll by the military; take care how you answer, because there may be proceedings taken with reference to some of the evidence given before this Committee?—If you warn me, and threaten me with a prosecution for perjury, I shall appeal to the Committee, and I shall answer no further questions; I call upon the Committee to protect me; I am not to be intimidated.

3738. You are on your oath; did you not see voters escorted to the poll by the military in 1847?—Upon my oath, I do not remember the fact; I believe I was the most violent person in Drogheda myself upon that occasion.

3739. Were you prosecuted?—No, nor any other person.

3740. Did you see voters escorted to the poll by the military in 1847?—Not to my recollection, nor do I believe they were.

3741. You will not give a direct answer?—From 1847 to 1857 is ten years; I am sure you could not give a detailed account of what took place ten years ago in any cause in which you were engaged.

3742. You swear you do not recollect it?—I have already answered that question three times.

3743. *Committee.*] Answer it again; do you recollect it?—I do not.

3744. Mr. *Phinn.*] Are you able to state that it did not take place?—I am not.

3745. Are you not aware that Sir William Somerville was obliged to be escorted about by the military?—I am not.

3746. I think you told us that the night on which your father's and your houses were attacked, you rushed out, and knocked down two people?—I did.

3747. Did you receive any injury?—I did not.

3748. What were you paid at this election?—I got 10 *l.*

3749. Have you any further claim?—I do not know; I should have been very happy to receive more, if it were offered to me.

3750. Have you any further claim?—No further legal claim.

3751. Do you expect to receive any more?—I do not; I scarcely expected that.

3752. When were you first summoned to give evidence here?—I was not summoned.

3753. Are you a volunteer?—No; I communicated with the agent of Captain Moore some time ago, and this morning I arrived in London from the Continent, and I saw, by the "Times" I had purchased on my way this morning, that this Committee was sitting, and I came here.

3754. Then you are a volunteer?—I have explained the mode of my coming here, and you may put what construction upon it you please.

3755. Had you any discussion about the probable expense of the election?—With whom?

3756. In the committee-room of Captain Moore?—No, I had not.

3757. With any one?—Not to my knowledge.

3758. This is not ten years ago?—There was a discussion; now I will explain, and you will find I am speaking candidly; you spoke to me of a committee; I never had any conversation with Captain Moore's committee respecting the expenses of the election, but I had with parties before that committee was formed.

3759. Before Captain Moore's committee was formed?—Yes.

3760. Who were the parties that it was discussed with?—There was Dr. Atkinson, I think.

3761. Who else; Mr. Verdon?—And, I think, Mr. Thomas Kelly, the auctioneer.

3762. Mr. Verdon?—No, I think not, certainly not.

3763. Mr. Mayne?—Yes.

3764. Mr. Hammond?—No.

3765. Where was this discussion?—In the house of Mr. Thomas Kelly, an auctioneer in Peter-street, Drogheda.

3766. What day?—Perhaps the Saturday before the election.

3767. Then Captain Moore was known to be coming forward?—I think not.

3768. Do you not know that he was actually canvassing the town on Saturday?—No, I think not; not on the Saturday.

3769. Not on the Saturday?—Perhaps he may have been.

3770. But you are sure this was on the Saturday?—No, I am not sure.

3771. Was it before the Saturday or not?—It was before Captain Moore's committee was formed.

3772. Was it before Captain Moore was known to be coming forward, when you were seeking for a candidate?—I think it was.

3773. What sum was named as the probable estimate of the expenses of the election?—£. 1,000 to 1,200 *l.*

3774. Was not 1,500 *l.* mentioned?—No.

3775. Are you sure that that took place before you heard the name of Captain Moore as a candidate?—I have told you so three times.

3776. You are certain of it?—Yes.

3777. But you are not certain whether it was on the Saturday?—If Captain Moore commenced his canvass on the Saturday, it could not have been on the Saturday.

3778. Did any discussion upon the subject take place after Captain Moore became a candidate?—Not in my presence.

3779. Were you communicated with on the subject?—I was not; there was no necessity for it.

3780. You had nothing to do with the financial arrangements?—I had not.

3781. Who were they left to?—I do not know.

3782. You told us you estimated that if you were supported by one section, if they did not desert you, your majority would be about a hundred; what section did you mean?—I meant the "Father Tom" party.

3783. Was that a Roman Catholic priest?—Most undoubtedly; we have no "Father Toms" on the other side.

Re-examined by Mr. *Slade.*

3784. You have been asked a good deal about the election in 1847; do you know whether there were any presentments made in reference to that election?—There were; and they were refused, I myself made an opposition to them as a ratepayer of the town; and the judge coincided with me that it was not a case at all.

3785. Was that some trifling damage then?—There were a few windows broken, I believe, by children; in fact I saw some of them broken by children in 1847.

[The Witness withdrew.

Edward Finlay was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

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3786. YOU were a voter for Drogheda?—Yes.

3787. At the last election, who did you promise?—Mr. Moore.

3788. Are you a Roman-catholic?—Yes.

3789. Do you remember on the 31st March, Tuesday, being sent for anywhere by anybody; I mean the Tuesday before the election?—Yes.

3790. Were you sent for by anybody?—By Mr. M'Cann.

3791. Where to go to?—To his tally-room.

3792. Who called upon you?—Thomas M'Cann and Harry, the two sons belonging to the Member.

3793. What did they ask you to do?—To go to their tally-room.

3794. That evening?—Yes.

3795. Before that time had you promised Mr. Moore?—Yes.

3796. Tell the Committee what induced you to go to Mr. M'Cann's tally-room; did you go there?—Yes.

3797. Having promised Mr. Moore, what induced you to go to Mr. M'Cann's tally-room?—I was in dread.

3798. Of what?—The mob.

3799. Had you seen anything of what the mob were doing?—Well, I saw that they were excited, and anyone that would not promise to vote for Mr. M'Cann was in danger.

3800. You say you went to Mr. M'Cann's committee-rooms; what time in the evening was that?—I think about four or five o'clock.

3801. In the evening?—Yes.

3802. Who did you find there?—I found Thomas M'Cann and Harry, the two sons of the Member.

3803. The same men who had been to you?—Yes.

3804. Anybody else?—Yes; there was what I consider the committee; one gentleman of the name of Long, and Lynagh.

3805. Was that the man they called Pat Long?—Yes.

3806. *Committee.*] How many others?—There was Mr. John O'Neill and Mr. Moore, and a gentleman of the name of Mr. Whearty.

3807. Mr. *Slade.*] Do you recollect any others?—There were, but I cannot recollect who they were; there was a great number in it.

3808. How many people do you think there were in the room?—I consider there was between 15 and 16 persons altogether.

3809. When you got there what was said to you?—They asked me would I vote for Mr. M'Cann.

3810. Who asked you?—Thomas M'Cann asked me would not I vote for his father.

3811. What was your answer?—I said, for my own protection, that I would not promise to any gentleman.

3812. You said that, you say, for your own protection?—Yes.

3813. What was said then; did they press you still?—Why, they did.

3814. Can you recollect what were the terms used?—Mr. Long asked me would not I vote for Mr. M'Cann; and I always said that I would not promise.

3815. Then what happened?—Mr. Long followed me down stairs.

3816. You left the room?—I left the room.

3817. When they could not get any more from you than that you would not promise, you left the room?—Yes.

3818. Mr. Long followed you down stairs?—Yes.

3819. What did he do?—He followed me out of the yard, and said, "Will not you vote for Mr. M'Cann?" and "Here is an order for 5*s*."

[The Witness was ordered to withdraw.

Mr. *Phinn* submitted that Mr. Long's name not being included in the list which had been given in as the list of Mr. M'Cann's committee, his acts or declarations were not admissible in evidence.

Mr. *Slade* was heard against the objection.

The

The *Committee* suggested that the better course would be to discuss the question on evidence of something said or done by some party whose name did appear on the list.

[The Witness was again called in.

3820. Mr. *Phinn.*] Have you been speaking to Mr. Atkinson since you have been out of the room?—Yes; he asked me, to the best of my opinion, was it on Tuesday or Wednesday that I got the drink, and to the best of my opinion I could not tell.

3821. Was that whilst you were out of the room?—Yes.

3822. He has been examining you, has he not?—No.

3823. He asked you that?—He asked me that question.

3824. Did he not tell you he thought it was Wednesday?—He asked me, was it Tuesday or Wednesday; and, to the best of my recollection, I said I could not tell.

3825. Has any one else spoken to you while you were out of the room?—Yes.

3826. Do you know a man named Harvey?—Yes; he was speaking nothing about my evidence.

3827. On your oath, did you not mention to Harvey what you had been saying in this room?—I have not; he might not ask me for he heard me.

3828. He followed you out of the room, did he?—He was along with me at the window.

3829. He was in the room when you were examined?—Yes.

3830. And he followed you out?—He came out with me.

Mr. *Phinn* applied to the Committee to direct Mr. Atkinson, upon this evidence, not to remain in the room during the further proceedings of the Committee.

The *Committee* acceded to Mr. Phinn's application.

3831. Mr. *Hodges.*] You have said that you saw Mr. Whearty in the tally-room when you went there upon the invitation of Thomas M'Cann?—Yes.

3832. Did you meet Mr. Whearty in Lynagh's shop after that?—Yes.

3833. When was it that you met him?—To the best of my belief, it was either on the Tuesday evening or the Wednesday, I am not particular which; I am not right sure which of the two days it was.

3834. What is Lynagh's shop?—He keeps a public-house and grocery.

3835. Is it in Shop-street?—Yes.

3836. What did Mr. Whearty ask you there, or say to you?—

Mr. *Phinn* objected to the question.

3837. Did he ask you for your vote?—Yes.

3838. What did you say?—I told him I would not promise.

3839. You told him again you would not promise?—Yes.

[The Witness was ordered to withdraw.

Mr. *Hodges* proposed to ask the Witness what Whearty had said to him.

Mr. *Phinn* objected.

Mr. *Hodges* was heard against the objection.

The Counsel and parties were ordered to withdraw, and the Committee deliberated.

The Counsel and parties were again called in, and informed that, in the case of Richard Whearty, the Committee were of opinion that the mere fact of his name appearing in a list of about 133 persons who formed themselves into a committee to procure the return of Mr. M'Cann, without any additional and corroborative evidence, was not sufficient to establish proof of agency; but that they were ready to receive further evidence in this case, and in the case of Long, which had been suspended.

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The Witness was again called in.

3840. What do you call the room to which you went, a committee-room or a tally-room?—In my opinion, it was either a committee-room or a tally-room.

3841. Where was it?—I understand not what they might call it, but in Drogheda they call it the tally-room.

3842. *Committee.*] Where was it?—It was in Shop-street.

3843. Mr. *Hodges.*] How often were you at the tally-room altogether?—Three times.

3844. Can you recollect on what days you were at the tally-room?—To the best of my opinion, I am not certain sure whether it was Tuesday or Wednesday.

3845. You say you were there three times altogether?—Yes.

3846. Were you there three times on the same day; or did you go there on more days than one?—When Mr. M'Cann asked me down, I went that time down to the tally room, and then I went that night and the day that I voted for him.

3847. *Committee.*] You voted for him on the Friday, then, and you went to his tally-room on the Tuesday or Wednesday, and again on the Friday before voting?—Yes.

3848. Mr. *Hodges.*] And the first time you went it was in consequence of a message that young Mr. M'Cann left for you?—Yes.

3849. Was Whearty in the room when you went there the first time?—He was.

3850. About how many gentlemen were there there?—To the best of my opinion I think about 15 or 16.

3851. What were they doing when you went in?—They were all about business; they were writing.

3852. Were they at a table then?—Yes.

3853. Was Whearty sitting down at the table with the other gentlemen?—He was.

3854. When was the second time you went there?—I went that night, and the day of voting; I never went but three times.

3855. Was Whearty there each time?

Mr. *Phinn* objected to the question.

The question was waived.

3856. I want to know whether Whearty was there?—He was.

3857. *Committee.*] That was the second time?—He was in it the three times that I went in.

3858. Mr. *Hodges.*] Twice on one day and once on the day of polling?—Yes; I am not certain whether it was on the Tuesday or the Wednesday that I was in it.

3859. What was he doing when you were there the second and third time?—Well, I seen him with a sort of pass book in his hand; but I could not tell what he was doing with it.

3860. What do you mean by pass book; what sort of a book was it?—A pass book for making entries.

3861. Did he do anything with this book?—I could not say what he was doing; but he had it in his hand any way, and a pencil along with it.

3862. Did you see him with anything in this book?—I have seen him writing when I was along with him that night at Lynagh's, me and another voter.

3863. That was when you were at Lynagh's?—Yes.

3864. How long did you stay in the committee-room the first time you went there; the tally-room?—I think to the best of my opinion between 20 and 30 minutes.

3865. Was Whearty there all that time?—He was.

3866. Were other people coming into the room whilst you were there?—Yes, they were coming in and out.

3867. Transacting business?—Yes.

3868. What were they doing?—They were keeping some accounts; I saw books and papers, and they were writing; but I did not pass any remarks upon what they were writing.

3869. Did

3869. Did you see the people up in the balcony?—Yes, I did.

3870. Did you ever see Whearty there?—No, I did not.

3871. Were you ever in the room of the White Horse at all?—No, but Mr. M'Cann asked me, would I go up that night to the balcony up to Mr. Cappoch's hotel, the day he asked me to vote for his father, and I said I would not.

3872. Did you see Whearty with Mr. M'Cann at all during the election?—I saw him with Master Thomas and Master Harry; I saw him in company with them.

3873. When was that?—The day of voting; the day that they solicited me, would I give my vote; that evening rather.

3874. Was that the day that you voted?—Yes.

3875. Did they come to you to ask you to vote?—Whearty asked me in at Mr. Lynagh's, if I would give my vote for Mr. M'Cann, and I told him I would not promise.

3876. Was Mr. M'Cann with him then?—No, he was with him above in the tally-room.

3877. Do you mean Mr. M'Cann was in the tally-room when you were there?—The two sons were in, but I did not see the Member.

3878. What I asked you was this, whether you saw Mr. M'Cann, the Sitting Member, in company with Whearty at all during the election?—He might have been with him, but I did not see him.

Cross-examined by Mr. *Phinn.*

3879. Do you believe that the first time you went to the tally-room was the Tuesday or the Wednesday?—I am not certain whether it was the Tuesday or the Wednesday.

3880. Was it before or after the nomination?—It was after the nomination.

3881. That you will swear?—Yes.

3882. What makes you so sure of that?—Have I not a good right to know it?

3883. You are sure it was after the nomination?—Yes.

3884. Word was left for you, and you went up?—Yes; word was sent for me to go.

3885. You did not see the man that was sent for you?—Yes; it was he who brought me up and was along with me.

3886. You say you were at the tally-room either twice or three times; which?—I was in there three times.

3887. Was it twice on the same night?—Once that evening, and I went up that night again, and then I never went up till the day I voted.

3888. Do you know a man named O'Neill?—I do.

3889. Do you remember telling O'Neill that no poor man ought to give his vote without money?—Never the like came out of my mouth; I never expressed the words.

3890. Did you vote as a freeman, or as a 10*l.* householder?—A householder.

3891. Are you a freeman?—No, I am not.

3892. Do you know Felix Reece's house in West-street?—Yes.

Further Examined by Mr. *Hodges.*

3893. I have asked you about seeing Whearty in the committee-room; do you remember when you went to the tally-room the first time, you say Whearty was there, and you were there for a considerable time; did you, at any time, see Whearty at Lynagh's shop?—Yes.

3894. What shop is that?—It was next door to the tally-room.

3895. Was it a public-house?—Yes.

3896. And you were there?—Yes.

3897. Who came there?—Whearty met me that night that I was in the tally-room, and brought me into Mr. Lynagh's; me and another, a voter, a man of the name of Pat Burn.

3898. *Committee.*] How long was that after you had been in the tally-room?—I was in it between four and five, and that night me and this Burn went into the tally-room, and then Mr. Whearty brought us into Mr. Lynagh's.

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3899. Mr. *Hodges.*] He accompanied you?—Yes.

3900. As you say, took you?—Yes.

3901. *Committee.*] Had the voter been in the tally-room?—Yes, he was.

3902. Was he?—Pat Burn and I went to the tally-room that night, and Whearty was in it, and brought us out, and took us to Lynagh's.

3903. Mr. *Phinn.*] Did you go the second time of your own accord; you were not sent for?—I was not sent for the second time, but Mr. Burn said, "Will you come up to Mr. M'Cann's tally-room?" and then we went there, and he brought us both out.

3904. Mr. *Hodges.*] What took place at Lynagh's, after Whearty had accompanied you there with Patrick Burn?

Mr. *Phinn* objected to the question.

Mr. *Hodges* was heard against the objection.

Mr. *Phinn* was heard in reply.

The Counsel and parties were ordered to withdraw, and the Committee deliberated.

The Counsel and parties were again called in, and informed that the Committee had decided that evidence had now been given sufficient to allow the question to be put.

Edward Finlay was again called in; and further Examined by Mr. *Hodges*, as follows:

3905. You have told us you went from the tally-room, with Patrick Burn, to Lynagh's, and that Whearty was with you; what passed between you when you got there?—He gave us any drink that we required.

3906. What did he say?—He asked me would I vote for Mr. M'Cann, and I said I would not promise.

3907. What did he say then?—He told me to make up my mind, and anything that was pressing to me and Mr. Burn, my brother voter, that we should have it.

3908. Did you have any drink?—We had.

3909. And had Burn some?—Yes.

3910. Did you pay anything for it?—No.

3911. Did Burn pay anything in your presence?—Indeed he did not, for he got drunk on it.

3912. Burn got drunk, did he?—Yes.

3913. On the day of the polling, which was on Friday, after you had voted, did you go to the tally-room again?—I brought Pat Burn; he is a millwright, and he could not come out till two o'clock, and after two o'clock I was after voting; and he says, "How will I get my card?" and I brought him into the tally-room after we had voted.

3914. Did you go with him to the tally-room?—Yes.

3915. After you had voted?—Yes.

3916. What was that for?—He asked who had given the card to vote, and he did not understand it, and I brought him up to the tally-room to get the card.

3917. The card of the person who you voted for?—Yes.

3918. Then did you and Pat Burn go and vote?—I voted first, and after Burn got from his work, at two o'clock, he went and voted.

3919. You had voted, and then you went up with Burn, and got Burn's card?—Yes.

3920. Did he go and vote then?—After that.

3921. Where did you go then?—We came down to Shop-street, and met Whearty, and Whearty brought us into Mr. Lynagh's; he took a glass of spirits, and I drank a glass of ale.

3922. What did Burn get?—A glass of spirits.

3923. *Committee.*] Who did Burn vote for?—He voted for Mr. M'Cann.

3924. Mr. *Hodges.*] Did any conversation take place between you and Whearty about your voting?—No, we had no conversation.

3925. He went into the house with you?—Yes.

3926. What did he say when he got in?—He said, "You had better have some

some refreshment after voting," and he called for a glass of whiskey for Burn; and he gave me a glass of ale; and he took nothing himself; and he put his hand in his pocket, and paid for it.

3927. Do you know a man named Patrick Long?—Yes.

3928. Who is Patrick Long?—Well, sir, he is a baker, and he keeps a public-house; he has resigned it now; and he is intending to follow the baking again.

3929. He was first a baker, then kept a public-house, and now he is going to take to baking again?—Yes.

3930. Who did he support at the election?—Mr. M'Cann.

3931. You were three times at Mr. M'Cann's tally-rooms?—Yes.

3932. Did you ever see Patrick Long there?—I did.

3933. When did you see him there?—The evening I went to the tally-room; and I saw him the day I voted.

3934. You saw him there twice, then?—Yes.

3935. When you first went there, what was Pat Long doing?—When I went in I was brought in by a young man named Thomas Maypower in the back way, and met Mr. Long in the yard, and then he came up to the tally-room with me.

3936. How did you happen to go to the tally-room that day?—Master Thomas M'Cann left word for me to go, and this Maypower brought me.

3937. Where were you to go?—To Mr. M'Cann's tally-room.

3938. *Committee.*] Is that the same message that you were speaking of before?—Yes.

3939. Mr. *Hodges.*] You went down the back way?—He brought me in the back way.

3940. The man with you brought you in the back way?—Yes.

3941. Where did you see Pat Long?—I met him when the gate was open in the yard, and he came up to the tally-room along with me and Maypower.

3942. He was inside the premises, and met you at the door?—Yes.

3943. And then he turned about and went up to the tally-room with you?—Yes.

3944. When he got up there, how many persons were there in the tally-room?—To the best of my opinion, I could not tell the amount, but there must have been between 16 and 17, to the best of my opinion.

3945. What did Pat Long do when he got into the room?—He was standing by then just like the rest.

3946. Were they all standing?—No; there were some of them sitting.

3947. Do you remember whether Pat stood or sat?—I do not recollect.

3948. *Committee.*] How long did he stay there?—To the best of my recollection, I stopped there about 20 or 30 minutes.

3949. I asked you how long Pat Long stayed there after you went in?—He stopped till they asked me whether I would vote for Mr. M'Cann.

3950. How long was that after you got there?—As long as I was in; for 20 or 30 minutes.

3951. Mr. *Hodges.*] Whether he sat down or stood up, you do not recollect?—I do not recollect whether he was sitting or standing.

3952. I think you say you saw him at the tally-room again?—Yes; he came up and came down with me.

3953. Did you see him at the tally-room after that?—I saw him the day I voted.

3954. Was that when you went to get the ticket?—Yes.

3955. What was he doing there then?—I do not know what he was doing, but he was sitting at the table, and they were writing down, and writing the names of the voters, I suppose.

3956. Was he sitting at the table?—I do not recollect that.

3957. How long were you in the tally-room, the third time?—That was the day I voted.

3958. How long were you there then?—I think I was there nearly three-quarters of an hour.

3959. Was Long there the whole time?—I do not know whether he was there as long as I was in it; but he was in there when I first went in.

3960. You are sure of that?—Yes; I am sure of that.

3961. Had he his hat off or not, when you went there the second time?—I do not know.

3962. Do you recollect what he was doing?—To the best of my opinion, he was exercising himself in bringing voters to the poll.

3963. What makes you think that he was exercising himself in bringing voters

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voters to the poll; what was he doing?—Asking the voters to go and vote for Mr. M'Cann.

3964. Did you hear him?—I did.

3965. In the tally-room?—Yes, I did, in the premises; I heard him down in the shop; the tally-room was upstairs, and this was in the shop leading to it.

3966. But you saw him in the tally-room as well as in the shop?—Yes.

3967. *Committee.*] About what o'clock was this?—Between 9 and 10 on the day I voted.

3968. In the morning?—In the morning.

3969. You had voted?—No; I saw him before I voted. I voted between 9 and 10.

3970. Do you recollect whether you saw Pat Long there more than once on the day that you voted?—He might be; but I only took notice of him once.

3971. What part of the day was that?—Between 9 and 10, when I voted.

3972. And was he there when you came into the room?—I cannot say whether it was in the room he was, or in the shop; but I am sure I met him.

3973. Did you see Pat Long with Mr. M'Cann at all during the election?—No, I did not see him with the Member; but I saw him with his two sons.

3974. Who did you get the cards from for voting?—From a gentleman of the name of Mr. M'Kenney; he is an attorney.

3975. *Committee.*] Did you go to the tally-room on the voting day, before you yourself voted?—Yes; I had to go to get the card.

3976. And then you went and voted?—Yes.

3977. And that was before 10 o'clock?—I think between 9 and 10.

3978. Was Long there then?—He was.

3979. After having voted, you went with Burn; what time in the day was that?—About half-past two o'clock.

3980. And then you found Long there the second time as well as the first?—I am not sure; he might be there, but I did not notice it. I only brought the other man to get a card.

3981. Then, as far as you remember, the only time on the polling day that you saw Long in the tally-room was when you went between 9 and 10?—Sir?

3982. On the day of the polling did you see Long in the tally-room at any other time than when you went between 9 and 10 in the morning?—I did not notice; he might be there unknown to me.

3983. Mr. *Hodges.*] When young Mr. M'Cann left a message for you to go to the tally-room, you went, and Pat Long followed you out of the room?—Yes.

3984. Did you see Pat Long at the White Horse at all during the election?—No, I did not.

3985. What did Pat Long say to you when you saw him at the committee-room?

[The Witness was ordered to withdraw.

Mr. *Phinn* objected to the question.

Mr. *Hodges* was heard against the objection.

The Counsel and parties were ordered to withdraw, and the Committee deliberated.

The Counsel and parties were again called in, and informed that the Committee were of opinion that the question might be put.

The Witness was again called in.

3986. Mr. *Hodges.*] You say Pat Long came down stairs with you when you went to the tally-room?—Yes.

3987. What did Pat do or say to you?—He asked me to vote for Mr. M'Cann, and said, "Here is an order for you for 5 *s.* worth of drink."

3988. What was this order; have you got it?—He wrote an order for me with a pencil.

3989. Who was the order upon?—A gentleman of the name of Mr. Durnan, a publican and grocer.

3990. You say it was an order upon Mr. Durnan; who is Mr. Durnan?—He is a brother-in-law of Pat Long's.

3991. What

3991. What shop does he keep?—He keeps a public-house and grocery.

3992. You say he wrote an order with a pencil; where did he get the paper?—He pulled it out of a small pocket-book like.

3993. And then took his pencil and wrote upon it?—Yes.

3994. And then did he give it you?—Yes.

3995. When he gave it you, what did he say to you?—He told me to go down to Durnan's and to get the amount of it.

3996. Was anything said about voting?—He asked me, first, was not I going to vote for Mr. M'Cann before he gave me the order.

3997. What did you say?—I told him I would not promise.

3998. What did he say to that?—He said, "I am certain sure you will," he says.

3999. Was that before or after he had written the order?—Before he wrote the order.

4000. Did you go down to Mr. Durnan?—I did.

4001. To his public-house?—Yes.

4002. Did you show him the order?—I did.

4003. When Mr. Durnan looked at the order, what did he say to it?—He said that that was none of Pat Long's handwriting.

4004. What did you say to that?—I asked him did he consider that I had come down with a false pretence with another man's handwriting, and the man that brought me, that was Thomas May Power, he was down along with me, and he takes the order back to Pat Long, and Pat Long came down and told Mr. Durnan he had given me the amount of 5 *s.* worth of drink.

4005. *Committee.*] Did you go for Pat Long?—No; the young man that brought me into the tally-room.

4006. Mr. *Hodges.*] Do you know where he went up to?—He went up to the tally-room.

4007. And then Pat Long came down?—Yes.

4008. And said it was his handwriting?—Yes.

4009. And told him to give the drink?—Yes; he told him to give me to the amount of 5 *s.* worth of drink.

4010. And did you get it?—I did.

4011. Afterwards, I believe, you did vote for Mr. M'Cann, did you not?—I did.

4012. Were you asked for your vote at all between the periods you have spoken of; did they come to you again at all to ask you to vote for Mr. M'Cann?—No.

4013. What induced you to vote for Mr. M'Cann?—Why the ruffian's word was, "If you do not vote for Mr. M'Cann mark the consequence."

4014. Did you hear expressions of that sort used to you during the election?—There was a lot of coal porters where I live, on the Wellington Quay, and if you do not vote for Mr. M'Cann mark the consequence.

4015. You heard them say that?—Yes.

4016. Was it in consequence of that that you thought it best to vote for Mr. M'Cann?—Indeed I am certain sure it was.

Cross-examined by Mr. *Phinn.*

4017. Where was it the coal porters said this to you?—At my own door; they are in the habit of coming into the house to light a pipe.

4018. I ask you when, not where it was?—The evening that master Thomas M'Cann came to my house and left word for me to go to the tally-room.

4019. What time was it that evening that the coal porters said this to you?—Between six and seven o'clock.

4020. What evening was that?—To the best of my opinion, I am not sure whether it was Tuesday or Wednesday.

4021. I thought you made up your mind just now it was Wednesday?—I am not certain which.

4022. It was after the nomination, was it not?—Yes, it was.

4023. Did you know that Mr. Moore retired at five o'clock that day?—Well, I did not.

4024. You did not know it?—No; it was reported, but we were not sure of it.

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4025. It was reported?—Yes.

4026. Had it been reported before you say you went to the tally-room?—I know I did not hear it; it might.

4027. Recollect yourself; had you not heard the report that Moore had retired before you went up to the tally-room?—No; I did not hear that he resigned until I went to the tally-room.

4028. Did you hear it at the tally-room?—No; the day that I went to the tally-room was the day Mr. St. George Smith and Mr. Moore solicited me for my vote.

4029. What time in the day had they solicited you for your vote?—I think between one and two o'clock.

4030. Was that after the nomination?—Yes.

4031. Recollect yourself; was it after the nomination?—Yes.

4032. You will swear that?—To the best of my opinion, I think it was after the nomination.

4033. Did they solicit you for your vote?—No; I beg pardon. It was the nomination day that I am certain sure they solicited me for my vote.

4034. After you had been to the Tolsey?—Yes.

4035. Were you at the Tolsey yourself?—I was.

4036. You are quite sure that it was after you were at the Tolsey that Mr. St. George Smith and Mr. Moore called upon you for your vote?—It was about a few hours after.

4037. What time in the day was it?—To the best of my opinion it was between one and two o'clock.

4038. Had they solicited you for your vote before that?—No.

4039. Where do you live; in what part of the town?—Wellington Quay.

4040. Down on the quay where these coal porters are?—Yes; they work all along the quay.

4041. You swear to the Committee that it was about one or two o'clock on the nomination day that you saw Mr. St. George Smith and Captain Moore?—To the best of my opinion between one and two.

4042. You are quite sure it was that day?—[No answer.]

4043. Come now?—I am not certain, but to the best of my opinion I think it was that day.

4044. Were you ever uncertain about it before you went out of the room, when Doctor Atkinson spoke to you?—Where.

4045. Out in the passage; you know all about it. Were you uncertain about the day then?—He never told me anything about it at all. He asked me what day was it to the best of my opinion. I said, I did not know whether it was Tuesday or Wednesday.

4046. When did you make up your mind it was the nomination day?—Because I recollect the nomination day well.

4047. It was after you had been at the nomination?—Yes.

4048. How much drink did you get that night; you had some at Lynagh's, and this five shillings' worth of drink besides?—Yes, for I gave it to a lot of workmen.

4049. What drink did you have?—I gave half a pint of spirits to two workmen, and Mr. Durnan told me not to be giving it, and to take it home in a bottle.

4050. How much did you drink at Durnan's?—I drank a bottle of soda water.

4051. And how much whiskey?—Half a glass.

4052. I am sure you must have had more?—No.

4053. Not after the bottle of soda water?—No; the way that some of the Irish take half a glass of spirits is to throw a bottle of soda water into it.

4054. You find it cold without it?—No, not at all.

4055. What did you pay for the soda water out of the five shillings order?—I paid nothing for it.

4056. How much did you reckon the soda water for?—They reckoned the bottle at twopence.

4057. And you took a bottle of whiskey home?—Yes.

4058. Do you mean to say you only drank half a glass of whiskey at Durnan's?—I mean to say I only drank a bottle of soda water and half a glass of spirits.

4059. Then you were quite sober that night, were you?—Indeed I was, for I brought a man named Pat Burn, a voter, home drunk.

4060. Did Pat Burn have anything at Durnan's?—No; for I gave him a share of the bottle I brought home.

4061. Did you drink some of the bottle at home?—Well, I might take about a glass of it.

4062. And might Burn take a glass of it too?—We did not drink it all that evening. I gave him a share of it the next morning.

4063. Were you sober when you went to bed that night?—I am certain sure I must have been sober when I could bring home a drunken man.

4064. You never heard of one drunken man helping another?—There is a difference between being drunk.

4065. Between being drunk and being fresh?—Yes.

4066. He was drunk, and you were fresh I suppose?—Yes.

4067. How far is it from Durnan's house to the quay?—To the best of my opinion, it is better than a quarter of a mile.

4068. Did you walk quietly home, you and Burn together?—It was out of Mr. Lynagh's we walked home.

4069. Did you not go to Durnan's that night?—No; I left Durnan's after I got the order and the whiskey, and went home.

4070. You got the order the first time you went to the tally-room?—Yes, that evening.

4071. The first time you went?—Yes.

4072. You went down to Durnan's and had your soda water, and took your whiskey home?—I took two pint noggins.

4073. Did you drink some of it there before you went to the tally-room?—I gave a share to the neighbours, and gave Burn a part of it the next morning.

4074. Did you drink any that night?—Some at Mr. Lynagh's.

4075. Did you drink any of the bottle you took?—Yes, after I got home.

4076. Do you know a man named O'Neale?—I do; John O'Neale.

4077. Did you send your wife to him?—Never.

4078. Did you send your wife to ask for some money?—Never; I never saw him till he and Mr. M'Cann was with my wife looking for me, and the word he said was, "I am sure of you."

4079. When was that?—It was before the nomination; it was on the Saturday that Mr. M'Cann and Mr. O'Neale came to my place.

4080. Had Mr. O'Neale and Mr. M'Cann the Member, canvassed you on the Saturday?—They did not see me, but they saw my wife, and the word they said was, "I am sure of him."

4081. Mr. *Hodges.*] You heard that from your wife?—Yes.

4082. Mr. *Phinn,*] Do you know West-street?—I do.

4083. Do you know the house of a man named M'Currey?—Yes, a harness maker.

4084. Had you been in the habit of going there just before the election; two or three of your voters?—No; I saw no voters with M'Currey; only himself.

4085. I ask whether two or three of you did not go there before the election; used to meet there?—No.

4086. Take care?—I am sure of it.

4087. You do not know how much I know; did you go to M'Currey's and meet two or three voters there an evening before the election?—Never.

4088. Do you know Moran, a smith?—I do; Pat Moran.

4089. Were you up at M'Currey's with Pat Moran?—No.

4090. Did you go to M'Currey's to see what you could get for your vote?—No.

4091. Did you never speak to M'Currey about it?—No.

4092. Will you swear that?—Yes.

4093. Is Mr. Rowland your landlord?—No.

4094. Who is?—A gentleman named Mr. Tandy.

4095. You did not promise Mr. M'Cann at all?—I did.

4096. When?—I told young Mr. M'Cann; I did not tell the Member at all that I would promise to no one.

4097. Did you ever promise him at all?—No, until I voted; I never pledged myself to him.

4098. Did you promise Pat Long that night at all?—No, I did not.

 4099. Are

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4099. Are you quite sure it was after the nomination that Mr. Moore canvassed you; that it was after being up at the Tolsey?—I am not quite certain whether it was the day before that, or the day after.

4100. You are not sure whether it was the day of the nomination at all?—I am not positive.

4101. Was it the day after the nomination?—I think it was the day before it.

4102. Was it the same day that you went up to the tally-room?—No.

4103. That you are quite sure of?—I am.

5104. I thought you told me just now it was after the nomination, about one or two o'clock on that day?—I do not know whether it was before the nomination; it was after I had promised Mr. St. George Smith and Mr. Moore.

4105. Had you given a promise on that day to Mr. St. George Smith and Mr. Moore?—I had.

4106. On that day?—I am not sure.

4107. Did you not tell me that they canvassed you after you had been to the Tolsey; two or three hours after?—I am not certain whether it was the day before or the day after.

4108. Did you not tell the Committee you were sure it was after you had been up to the Tolsey on the nomination day?—The day I promised to Mr. Moore; that was the evening that Mr. M'Cann left word for me to go to his tally-room.

Re-examined by Mr. *Hodges*.

4109. You say you did not promise Pat Long?—No.

4110. Had you made up your mind then that you would vote for Mr. M'Cann?—Yes, I had.

4111. Though you would not promise him?—Yes.

4112. You have been asked about selling your vote; what circumstances are you in; you are a man of property, I believe?—Yes; I have got 500 *l.*

4113. In the funds?—Yes.

4114. You are not a man who wants to sell your vote?—No.

4115. What business do you carry on?—I am a whitesmith by trade, but I keep a hardware shop, old and new.

4116. You keep a shop of hardware?—Yes.

4117. Have you got a stock in trade?—Yes.

4118. And 500 *l.* besides?—Yes.

Examined by the *Committee*.

4119. Do you recollect the first day that you saw Captain Moore?—No; I do not exactly recollect the day; whether it was the day of the nomination, or the day before.

4120. Did you ever see him more than once?—No.

4121. Did he ever ask you for your vote more than once?—Never.

4122. At the time he asked you for your vote, was that the time he came with Mr. Smith?—Yes.

4123. What was the first day on which you heard that Captain Moore was a candidate?—I heard it on the Saturday, and that was two days before the week that they went to poll.

4124. Did you see Captain Moore; did he come to your house to canvass you on the Monday after the Saturday?—I met him when I went up the street, and Mr. St. George Smith along with him, and a man named Clarke and Mr. Smith asked me would I not give my vote to Mr. Moore, and the word I said was, "On his account I would vote for him."

4125. Was that on the Monday?—Yes, I think it was.

4126. Was it on that day that Mr. St. George Smith and Captain Moore came to your house; did they ever come to your house?—No, they never did.

4127. When you talk of their canvassing you, they canvassed you in the streets?—Yes.

4128. And was that on the Monday, or on the Tuesday?—I do not know whether it was the Monday or the Tuesday.

4129. Was it before the day of the nomination?—Yes, it was.

4130. Were you canvassed by Mr. St. George Smith and Captain Moore on one

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or other of the days before the nomination?—Yes, I think it was the day before the nomination day that they canvassed me.

4131. Whatever the day was, was it on the same day as that on which you went up to the tally-room of Mr. M'Cann?—It was that evening.

4132. That you are certain of?—Yes.

4133. This conversation with Mr. St. George Smith and Captain Moore took place on the same day?—Yes.

4134. And that was the day before the nomination day?—I believe it was.

4135. Mr. *Hodges.*] Besides this property which you have, have you got reversionary property?—Yes; I am on the speculation of getting 500 *l.* more.

[The Witness withdrew.

James Thornton was called in; and, having been sworn, was Examined by Mr. *Hodges*, as follows:

James Thornton.

4136. DO you live at the Bull-ring, in Drogheda?—I do.

4137. I believe you are a voter for the borough?—I am.

4138. And do you carry on business there as a grocer and publican?—Just so.

4139. What sort of a public-house is it you keep; is it a licensed house?—A grocer's shop and spirit store.

4140. Have you a licence for selling spirits?—By retail.

4141. And you also sell grocery?—I do.

4142. I believe you supported Mr. M'Cann?—I did.

4143. Were you on his committee?—I signed the requisition that was got up.

4144. What you call the requisition was a paper, we understand, headed, "We the undersigned Electors"?—I signed the paper that was got up.

4145. Did you see it published afterwards?—I did.

4146. Just look at it (*the printed list before given in evidence was shown to the Witness*)?—The paper that I signed was in that form.

4147. Did you see a person named Thomas Conolly, the younger?—I did; I know him very well.

4148. I believe he brought you something, did he not?—He told me to give drink.

Mr. *Phinn* objected to the evidence.

4149. You saw Conolly?—Yes.

4150. When was it you saw him?—I suppose the time you allude to was about the time of the election.

4151. Do you know which day it was?—It was the evening before the nomination.

4152. That was on the Tuesday?—Yes.

4153. On the evening of the Tuesday you saw Thomas Conolly?—Yes.

4154. And he made some communication to you?—Yes.

4155. Do not tell us what it was; but, on the morning after that, did Patrick Long come to you?—He did.

4156. What conversation had Patrick Long with you on that occasion; what did he say to you?—He asked me would I give him 10*s.* worth of drink for the men that he had with him; I told him I would.

4157. And did you give them that 10*s.* worth of drink?—I did.

4158. Who to?—I did not know them.

4159. The people who came there?—Yes.

4160. Do you know whether they were voters?—I think there was not a voter in the number; I am almost sure there was not.

4161. When did you give that 10*s.* worth of drink to these people; you say he came to you on Wednesday morning?—It might be about half-past eight in the morning.

4162. That was the morning of the nomination?—Yes.

4163. Do you remember whether Patrick Long said anything to you on that occasion, as to what you had done in consequence of Conolly having spoken to you the day before?—

Mr. *Phinn* objected to the question.

The question was waived.

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4164. Have you told us all you can recollect as to what he said when he asked you about the 10*s.* worth of drink?— That is all I recollect of that transaction.

4165. You do not recollect his putting any question to you about anything else? —Well, I should think not.

4166. At any time after this Wednesday that you speak of, did you see Patrick Long again?—Yes; relating to the election and drink again.

4167. Yes?—I did.

4168. On what day was that?—It was in the evening that Mr. M'Cann was declared Member for Drogheda.

4169. That was on the Friday?—I think on the Saturday evening.

4170. What did Long say to you then?—

Mr. *Phinn* objected to the evidence of acts done or declarations made by Long after the election.

4171. Mr. *Hodges.*] Do you remember whether it was on the day of the polling or the day afterwards?—It was not on the day of the polling, but on the day on which he was declared.

4172. *Committee.*] You remember the day of the polling?—Yes.

4173. And this was the day after?—Yes.

4174. Mr. *Hodges.*] Did you receive any directions from Long that day?—

Mr. *Phinn* objected to the question.
The question was waived.

4175. Did you get a paper from him?—No.

4176. Did you do anything on the evening of that day in consequence of the directions which you received from Long?—That was on the Saturday evening.

4177. Yes?—He gave me an order for 1*l.* 10*s.* worth of drink.

4178. Did you do anything in consequence of that order?—I gave no drink on that day, because we were too confused with other business.

4179. When did you?—On the Monday following.

4180. Then how much drink did you give?—

Mr. *Phinn* objected to the question.
The question was waived.

Cross-examined by Mr. *Phinn.*

4181. You saw Pat Long frequently during the election?—I did.

4182. Was not he generally drunk all the time?—I believe he was very little sober.

4183. Were you present, during the election, at the White Horse Hotel when Mr. M'Cann made a speech?—I was in the hotel; on the balcony of the hotel.

4184. Did you hear him say he would not allow one farthing to be given in drink?—I heard him say that inside the hotel.

4185. More than once?—More than once.

4186. At the White Horse?—Yes.

4187. At Mr. M'Cann's own rooms, at the White Horse?—Yes.

4188. You have been asked about signing this document; when you signed it, who brought it round to you, or where did you sign it?—I signed it at my own house.

4189. I see that was as early as the 27th of March; at that time did you know anything of Mr. Moore; the Friday?—Well, I cannot say; I cannot call it to mind.

4190. You call it a requisition. I see it is headed, "We, the undersigned electors, have formed ourselves into a committee;" I suppose you did not write those words?—I did not.

4191. Did you look at the heading, in point of fact, when you signed it?—I did.

4192. You considered it a requisition to promote Mr. M'Cann's return, and a pledge that you would vote for him; is that so?—Just so.

4193. And nothing more?—Nothing more.

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Re-examined by Mr. *Hodges.*

4194. Who brought the paper round to you when you signed it?—I cannot tell; it was some friend of Mr. M'Cann's.

4195. Was it one of his sons?—I think not.

4196. Who was it; you must recollect, surely?—I cannot call it to mind.

4197. Was it more than one person?—I am not sure.

4198. Was it at your own house?—Yes.

4199. Do you not recollect such a circumstance as that. Who came to ask you to be one of the committee of Mr. M'Cann; cannot you recollect one of the persons?—I cannot call to mind who brought the paper to me; only that I saw the paper, and signed my name to it, and saw it in print afterwards.

4200. But you cannot recollect who brought the paper to you?—I cannot.

4201. What time in the day was it when it came to you?—I think it was about the noon of the day.

4202. About the middle of the day?—Yes.

4203. Did these circumstances occur in your shop?—Yes.

4204. Can you not recollect who produced that paper for you to sign it; try and recollect?—I really cannot.

4205. Was it M'Carty, the mayor?—It was not him.

4206. You recollect it was not him?—Yes.

4207. Do you know a man named Ignatius M'Donnell; a man at the steam-packet office?—I know him.

4208. Was he the man who brought you the paper?—I cannot say; I do not think it was.

4209. You will not say it was not?—I will not say it was not.

[The Witness withdrew.

[Adjourned to To-morrow, Eleven o'clock.

Mercurii, 5° die Augusti, 1857.

Catherine Durnin was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

Catherine Durnin.

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4210. ARE you the wife of Michael Durnin?—Yes.

4211. He is a publican in the Bull-ring at Drogheda, is he not?—Yes.

4212. And a grocer?—Yes.

4213. He sells whiskey and spirits?—Yes.

4214. Do you remember the last election at Drogheda?—I do.

4215. Do you know a man named Edward Finlay?—I do.

4216. Do you remember Edward Finlay being down at your store; your house?—Yes.

4217. Was that on the nomination day?—I could not recollect the exact day that he called.

4218. Was it before the polling-day?—No, I think not.

4219. Was it after the polling-day then?—Yes.

4220. Are you sure?—Yes, it was after it.

4221. Do you remember Finlay coming with an order?—Yes, and I would not receive it.

4222. And then somebody was sent for Pat Long; was he not?—No, he went himself, and he brought Mr. Long.

4223. Have you got the order?—I did not take any order from any one at any time; I gave it back to him.

4224. To whom?—To Finlay; and I said I would receive no order from any one.

4225. What was the order for?—I did not read it.

4226. Did he say what it was for?—Yes; he said it was for some drink.

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4227. Do you know how much?—I think he said 5 *s.*

4228. You would not take the order?—No.

4229. And then Pat Long came?—Yes, and I gave it on his word; I gave it to Pat Long.

4230. Gave what to Mr. Long?—Any drink that he asked for at the time.

4231. It was Edward Finlay that came for the drink, and produced the order which you would not take?—Yes.

4232. Who did you give the drink to?—I gave it to Mr. Long, and he got it for Finlay. It was to Mr. Long that I gave any drink that I gave.

4233. What did you give to Long?—I could not tell the exact amount.

4234. Did Mr. Long say that he had given that order?—No, he said nothing about that order; but he told me to give Finlay some drink.

4235. And upon Mr. Long telling you that, did you give Finlay drink?—Yes, and only on Mr. Long's word; that was all.

4236. Can you tell us how much you gave Finlay upon that occasion?—I cannot.

4237. But surely you put it down?—I do not think I put it down.

4238. Then how did you get paid; you must have charged somebody with it?—He had an order for 5*s.* worth, but he did not get it all at a time from me, but only some of it.

4239. Had he an order for 5*s.* worth?—Yes; he said he wanted 5*s.* worth.

4240. Did Pat Long say he was to have 5*s.* worth?—Well, I forget whether he did or not at that time.

4241. You say Pat Long was brought down, and Pat Long told you to give him something to drink?—Yes.

4242. Did he say how much worth he was to have to drink?—No; but in the first order he said he would give him 5*s.* worth, and I think it was 5*s.* worth he got altogether at that time.

4243. He got that drink?—Yes, after the election.

4244. Upon Pat Long's order?—Yes.

4245. Did Pat Long ever pay you for it?—No; but anything he ever contracted for with me he will pay me; he always paid everything he contracted for.

4246. Have you put it down to him?—Yes, I have.

4247. Have you got your books?—No, I have not.

4248. You put it down against Pat Long?—Yes.

4249. Did Pat Long give you an order for anybody else besides Edward Finlay?—Yes; he told me to give drink to some other men.

4250. Who are those other men?—I could not tell; there was a large number altogether.

4251. Were they voters?—No, they were not.

4252. How do you know?—Because they were the common run of people.

4253. Edward Finlay was a voter?—I did not know whether he was or not; I never questioned it.

4254. How much have you got down against Pat Long?—I gave 3*l.* worth altogether to Pat Long.

4255. Upon Pat Long's order?—Yes; and he owed me a bill previous to the election; and he told me to put it all to his account.

4256. *Committee.*] Long owed you a bill?—Yes, on his own account; and he told me to put it altogether to his account, anything that I gave.

4257. Mr. *Slade.*] But he gave you orders altogether for 3*l.* worth?—Yes.

4258. And you supplied drink to that amount?—Yes.

4259. To the amount of 3*l.*?—Yes; to his account.

4260. *Committee.*] Mr. Long is your brother-in-law, is he not?—Yes.

4261. Mr. *Slade.*] Was that in drink, whiskey?—Various drinks.

4262. Whiskey or porter?—Yes.

4263. Was it the same day that Long gave the order for Edward Finlay that he gave the order for the others?—No, I think not. I think Finlay got no drink till after the election, as well as I remember.

4264. Were the others given before the election?—Yes, before the election.

4265. Were they each a separate order, or was it a general order to give away 3*l.* worth?—It was a verbal order; a general order to give 3*l.* worth.

4266. How were you to know they were the proper persons to have it?—I did not give anything to any one except Mr. Long told me.

4267. Then

4267. Then Mr. Long brought the men down, and said, "Give this man so much"?—Yes.

4268. He brought down each man?—No, he only brought Finlay.

4269. How did you know that the others were the proper men to have it?—He told us the parties.

4270. Perhaps you can tell us the parties; they were in the house with him at the time; they came in with him.

4271. He brought them into the house?—Yes.

4272. How many did he bring into the house?—I could not tell; I did not pay attention to the number at all.

4273. Did you supply all that 3 *l.* worth at one time?—Yes, I supplied all that on one day.

4274. Which day was that?—That was the 1st of April.

4275. The Wednesday?—Before the nomination or anything at all took place.

4276. About what time in the day was he down there giving you the order for the 3 *l.* worth?—About eight o'clock in the morning.

4277. Did they drink it?—Yes.

4278. Then and there?—Yes.

4279. You really must try and recollect how many persons consumed 3 *l.* worth of whiskey and porter at eight o'clock in the morning?—I could not recollect.

4280. About how many?—I could not tell.

4281. Were there 10 people?—A great many more than that.

4282. Then it must have filled your house; try and recollect?—I could not.

4283. Pat Long comes down with a party of men, and tells you to give them 3 *l.* worth of drink, and you do, and they drink it?—Yes; and he told me to put it to his account.

4284. How many were there; about?—I could not recollect.

4285. You can surely recollect whether there were 10 or 20?—I do not know.

4286. Do you mean to say you do not know whether there were 10 or 50?—I never counted them; I know there were more than 10.

4287. Were there 10 or 50?—I could not tell the exact number.

4288. Supposing you were not here, but that you were telling some friends of yours at home, how many would you say?—It would be just the very same thing.

4289. How many should you say were there?—I could not say; I gave them what they wanted, and they went out and left my house.

4290. Was this in the bar?—Yes.

4291. How many would the bar hold?—I could not tell.

4292. You can tell much better than we can. How many people do you think it will hold?—I suppose it would hold about 30 or so.

4293. Do you think there were as many as 30 men who got this liquor?—I think there were.

4294. Now we have got it?—Yes; but anything I think, I suppose, would not be evidence; they went out according as I gave it them, and it would be wrong for me to say how many there were.

4295. When did you find out that you had spent the 3 *l.*?—I kept an account of it.

4296. In that account, did you put down how many men took it?—No, I did not.

4297. When they had finished the 3 *l.* worth, you did not let anybody else have any more, I suppose?—I did not.

4298. Have you asked for that money?—No, I have not.

4299. And you have not been paid?—No.

4300. Have you sent in your bill?—No.

4301. Why is that?—Because he is a friend of my own, and he will pay me when he has money; he always paid anything he contracted for.

4302. Did you have any orders for drink from any one else that day?—No; I never took any order at all; and I did not consider it an order from Mr. Long, because he was one of our family, and I would give him anything he asked for.

4303. Did anybody else ever order you to give any drink to voters?—No one; there was no voter that I gave drink to.

4304. Yes; there was Finlay, you know?—That is immaterial to me; I did not

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not know whether he was a voter or not; and I understand that he teased Mr. Long very much to get that drink, and it was to get rid of him that he ordered it to him; it was not Mr. Long came forward at all.

4305. I do not think that is quite so, is it?—That remains to be proved.

4306. Edward Finlay brought you down an order signed by Pat Long, which you would not accept?—Yes; but I am sure he would not have got that order, only he sued for it and annoyed the man; and I would not take an order from him, or give him anything on his word.

4307. Nor yet on Pat Long's order?—No; nor on no one's order.

4308. You would not give it till Pat Long came down, and said you were to give it him?—Yes.

4309. Did Pat Long say anything more than that you were to give that man 5*s.* worth of drink?"—He said he was annoying him, and that he could not get clear of him otherwise, and that he just gave him it for quietness.

4310. And was the 3 *l.* worth of drink given to the others because he could not get rid of them?—I did not hear him say anything about that.

Examined by the *Committee.*

4311. Mr. Long gave you the order?—It was a verbal order; it was his word.

4312. For 3 *l.* worth of drink;—Yes.

4313. That was on the morning of the day of nomination?—Yes.

4314. Do you remember whether this man Finlay came down before or after that order had been given?—Long after; I think anything I gave Finlay was long after the election, as far as I recollect.

4315. You remember the circumstance of Finlay bringing you this 5 *s.* order?—Yes.

4316. Was that on the same day as that on which Long had given you the order for 3 *l.*?—No, I think it was after the election altogether.

4317. Are you certain?—To the best of my recollection.

4318. It was not before?—No, I am very certain of that.

4319. But you do not know; it may have been?—No, I am not certain of the day; but I know it was after the election.

4320. Was it the same week, do you think?—It was the latter end of the week, and I could not say whether it was not the beginning of the next week; on Friday the election took place.

4321. And you cannot tell whether it was before Friday?—I know it was after the election altogether that he got the drink.

4322. Mr. *Slade.*] You say you cannot say exactly when it was that Edward Finlay came?—No, not exactly; but to the best of my recollection it was after the election.

4323. Will you swear that it was after the election; remember you have kissed that book?—Yes; and if I had never kissed it I would have the same idea; I would not tell an untruth.

4324. Will you swear that it was after the election?—Yes; I have sworn to everything I am saying.

4325. You are sure it was after the election?—Yes.

4326. You are certain?—Yes.

4327. How long after the election?—I could not exactly say.

4328. Was it a day?—I could not say; but to the best of my recollection it was after the election.

4329. What difficulty had Long in getting rid of the man if it was after the election?—If a man was fond of drink and wanted it, and had no money, I think he would like to have it at any time if he could get it for nothing.

4330. Do you mean that as an answer?—No, I do not.

4331. What difficulty could Mr. Long have had in getting rid of the man after the election; you say he was teasing him?—Exactly so.

4332. And he allowed him 5*s.* worth of drink?—Yes.

4333. Which he was to take out at any time?—Yes.

4334. He did this, you say, to get rid of him?—Yes.

4335. Did that ever happen before to anybody, to your knowledge; did you ever have an order before from Pat Long for 5*s.*, or for any amount of drink to be given to any man who was in your shop, to get rid of him?—No.

4336. Do you really mean to represent to the Committee that this 5*s.* worth of

of drink was given by Long to get rid of this man, Finlay, who was teasing him? —It was Mr. Long's own words that I had for it. *Catherine Durnin.*

4337. When were those words?—When he told me to give Finlay the drink. 5 August 1857.

4338. What did he say?—He said, "Give this man so much drink; I cannot get rid of him in any other way."

4339. Was your husband present when this took place?—No, he was not.

[The Witness withdrew.

Michael Durnin was called in; and, having been sworn, was Examined by Mr. *Slade*, as follows:

4340. YOU are the husband of Catherine Durnin?—Yes. *Michael Durnin.*

4341. Did any one come out of the room and speak to you just now while your wife was being examined?—Not one.

4342. Not a short gentleman?—No.

4343. Do you know what orders for drink were given by Pat Long?—

Mr. *Phinn* objected to the question.

The question was waived.

4344. Had you any orders for drink?—Not before the election.

4345. At the election?—After the election I had.

4346. Who by?—By Pat Long; he is a brother-in-law of mine.

4347. What orders did he give you?—He gave me an order for 30*s.* worth of drink; he is a man that generally runs an account with me; he is a man that often has given large orders before, but not at that time.

4348. Who were you to give that 30*s.* worth to?—I do not know who the parties were.

4349. How did you know that the right parties came?—He brought a lot of men in with him at two or three different times.

4350. And told you to give them 30*s.* worth of drink?—He asked me if I could give them 30*s.* worth of drink on his account, and I told him I would, and they came for it at different times.

4351. When was this?—I think the first of it was on the Monday after the election.

4352. Just tell us what he said to you on the Monday after the election?—

Mr. *Phinn* objected to the question, on the ground that the notice extended only to the 5th of April.

The question was waived.

4353. Had there been any other order given before to you by Pat Long?—No.

4354. Are you sure it was on the Monday?—I am.

4355. Are you quite certain?—I am.

4356. Who told you it was on the Monday?—

Mr. *Phinn* objected to the question.

The question was waived.

4357. Have you been told to say it was Monday?—I have not.

4358. Not by anybody?—No, I was not.

4359. By anybody?—No.

4360. What?—I say no.

4361. Eh?—I say no.

4362. Did you put it down?—There was no person tampered with me outside the house, because I would not be tampered with by any person.

4363. Did you put it down?—I did. I always make an entry of everything.

4364. Did you put down the order for 3*l.* worth that was given to your wife? —I did not. My mistress had it down before I came home. I was in the country that morning; everything she gives out she enters it down in my absence.

4365. Did she tell you that she had had an order for 3*l.* then?—

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Mr. *Phinn* objected to the question, on the ground that what the wife said to this witness was not admissible.

The question was waived.

4366. What day were you out in the country?—I am generally out in the country three or four days in the week, because I have a farm two miles and a half from the town.

4367. The day that you allude to on which you were out in the country, and when your wife had an order and put it down, when was that?—I think it was either two or three days before the nomination, as far as I can recollect.

4368. It was before the election, at any rate?—It was.

4369. Was it not on the nomination day?—

Mr. *Phinn* objected to the question.

4370. Was it not on the nomination day that you were out in the country?—

Mr. *Phinn* objected to the question.

4371. You say it was two or three days before the nomination; was it not on the day of the nomination?—I cannot say that it was.

4372. You say it was two or three days before the nomination that you were out in the country when your wife put down 30*s.* worth of drink; when your mistress put the 3*l.* down before you came home, was not that the day of the nomination?—I cannot say. I was out in the morning every day that week.

4373. You said just now that it was two or three days before the nomination?—To the best of my opinion.

4374. Will you swear that it was not on the day of nomination?—I would not.

4375. Do you know anything about 5*s.* worth of drink being given to Edward Finlay?—I do.

4376. When was that?—That was the Monday after the election.

4377. What makes you remember that?—Because I know the difference between Tuesday and Monday.

4378. Now I ask you, when was the order given for Edward Finlay to have his 5*s.* worth of drink?—The order for Mr. Finlay was given the same day; it was included in the 30*s.* that Long gave me; the two orders were given together.

4379. Who was it given to?—I do not know whether it was three or four that was along with Finlay at the time that he got it.

4380. Well?—I knew one of the young men, but I did not know the others.

4381. It was Pat Long who gave the order?—Yes; Pat Long walked into the shop, and he says, "Mr. Durnin, will you be good enough to give Edward Finlay, on my account, 5*s.* worth?" and I told him I would.

4382. What did you say to that?—I told him I would.

4383. Did you serve Finlay with the drink then?—I did.

4384. Did he drink it all?—He had four or five parties with him.

4385. Was it all consumed on that occasion?—You did not give me time to answer. I was going on to observe that he took five noggins of it out of the house in a bottle.

4386. How much of the 5*s.* would be consumed in the five noggins?—Eight noggins makes a quart.

4387. What is the price of a quart?—A quart of whiskey is 3*s.* 4*d.*, and he took five noggins out of the remaining 5*s.* worth.

4388. He took away about half-a-crown's worth, then?—About that.

4389. How much did he take out in the current coin of the realm?—Two shillings and a penny.

4390. Did he drink the remainder?—He drank the remainder, himself and the parties that was him.

4391. Was your wife present then?—She was in the shop some time before when he came in with the order, and she would not receive it; but I think she was not in the shop at the time that Pat Long came in to give me the order; I think not; I think she was up stairs at the time.

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4392. Was your wife in the shop when Pat Long came and gave the order to give Edward Finlay 5*s.* worth of drink?—Really I could not say.

4393. You are quite sure you were there?—I was.

4394. Was that before or after the order for the 30*s.*?—I think it was about an hour afterwards; I think so.

4395. At what time of the day was it?—I think it was between five and six o'clock, or it may be later.

4396. In the evening?—In the evening.

4397. Did he say why he gave you the order?—He did not.

4398. Are you quite sure that the order was given to you?—The order that I delivered the drink on was given to me.

4399. To Finlay?—Yes.

4400. Was nothing said by Pat Long as to the reason why he gave the order?—No, nothing.

4401. Did you give the drink without any more?—Pat Long's word was quite sufficient for me.

Cross-examined by Mr. *Phinn.*

4402. Have you seen Dr. Atkinson this morning?—I did.

4403. Has he been talking to you about your evidence?—No, he has not.

4404. Did he not say something to you about your evidence?—He did not.

4405. Not a word?—I showed him a letter that I got from Ireland last night, respecting my child not being well, and I wished to know if it was in his power to get the mistress called on this morning, so that she might go home; that was all that passed between the doctor and me this morning.

4406. We have never heard what Pat Long is?—He is a baker by trade; he has been in the public business before.

4407. And now he is going back to baking, I believe?—Yes; his wife died, and he then thought proper to give up the business.

4408. You have told us you are sure that this order to Finlay was given on the Monday?—I am.

4409. Had you seen anything of a written order?—No, I had not.

4410. Do you remember Pat Long saying anything about Finlay teasing him?—He did.

4411. What did he say?—He told me he was dragging him about the street, and pulling his coat, and wanting an order.

4412. Did he give that as the reason why he gave him the drink?—He told me so.

4413. Who serves most in the shop, you or your wife?—Within the last six months the mistress and boy have served most in the shop, because I am mostly out at the farm.

4414. Does she keep the accounts?—Yes, when I am not at home.

4415. Do you recollect, when Pat Long came in, how long he stayed?—He did not stop at that time not two minutes.

4416. Do you recollect whether your wife was down stairs when Pat Long came in?—I could not call it to mind at the present time.

4417. I suppose it did not make any great impression upon your memory; all you cared about was that you should get your money?—That is all.

4418. I think you say that some time afterwards on that night you got an order for 30*s.* worth of drink?—No; I mentioned the 30*s.*, but that was including the 5*s.* for Finlay.

4419. When did you get the order for the 25*s.*?—It was the same day.

4420. Was that after you had given Finlay the 5*s.* worth?—It was before I gave it to Finlay, I think, about two hours.

4421. You say Long brought some people with him?—He did.

4422. Were they strangers to the town, or were they people whom you knew?—Some of them I knew, and some of them were from the country.

4423. Do you recollect anybody that you knew?—Yes; there was four neighbours of his own, that lived just beside him.

4424. Who were they?—Weavers.

4425. The weavers had been on strike for a long time, had they not?—Not those.

4426. They were men who had not been on strike?—Yes.

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4427. Were they respectable people?—In their line of business; they are industrious, hard-working men.

4428. Do you know whether they had been all customers of Long's when he kept the public-house?—I cannot say for that; I know they were neighbours of his.

4429. I believe that Long is a good deal given to drinking himself, is he not?—Why, he likes a glass very well.

4430. *Committee.*] Of the 30 *s.* worth that was ordered, 25 *s.* worth was given to the men, and 5 *s.* worth to Finlay?—Yes.

Re-examined by Mr. *Slade.*

4431. I thought you told me just now that Mr. Long said nothing?—At the time he came in with Finlay he did not, only would I be kind enough to give Finlay 5 *s.* worth of drink on his account.

4432. I thought you told me he said nothing else?—That is all he said.

4433. How came you, then, to say "Yes" to a question put to you by my friend, as to whether he had not said that Finlay had been teasing him and pulling him about?—When he asked me the question, I answered it; it was after this that he told me, but not at that present time; it was after this he told me that the reason why he gave it to Finlay was because he was dragging and teasing him about the street.

4434. When did he tell you that?—That very same night.

4435. How came he to tell you that?—He came in about 10 o'clock at night, and asked me if Finlay had got all he ordered; and I said he had. He said, "Well, I would not have given it him, only he was dragging and teasing me about the street."

4436. He gave him 5 *s.* worth of liquor, because he was dragging and teasing him about the street?—Them was his words to me.

4437. *Committee.*] Is Long a large man?—He is a stout man.

[The Witness withdrew.

Mr. *Slade* stated that he did not propose to offer any further evidence in support of the petition.

Mr. *Phinn*, on behalf of the Sitting Member, stated that he would, with the permission of the Committee, proceed at once, without any opening address, to call witnesses to meet the case made on behalf of the petitioners.

Mr. *Phinn* also proposed to examine Mr. O'Hagan, who, he stated, had acted as counsel for the Sitting Member at the election, who had been present during the proceedings before this Committee, and whose name had not been included in the list of agents who were allowed to be present.

Mr. *Slade* submitted, that under these circumstances, the evidence could not be received.

The *Committee* determined that Mr. O'Hagan, having been present during the proceedings of the Committee, could not be examined.

Mr. *Robert Pentland* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

Mr. R. Pentland.

4438. I BELIEVE you are a Surgeon, practising in Drogheda?—I am.

4439. Are you surgeon to the county infirmary?—I am.

4440. How long have you resided in Drogheda?—I have been surgeon to the county infirmary since the year 1818.

4441. Is that situated in Drogheda?—It is.

4442. Have you been present at elections in Drogheda from that time to the present?—I have.

4443. What part have you usually taken; what politics have you espoused?—Indeed, I am a Conservative, but a liberal one.

4444. If a Conservative candidate came forward with liberal views, you would support him?—If he was a friend, I would be very happy to support him.

4445. Do

4445. Do you recollect the election in 1847?—I do.

4446. Who did you support then?—Sir William Somerville.

4447. That was against Mr. Lamie Murray, the Repeal candidate, I believe?—It was.

4448. Up to the end of the week, previous to the last election, did you anticipate any serious opposition to Mr. M'Cann?—I did not.

4449. Mr. Brodigan, I believe, was in the field?—He was.

4450. Was his opposition, in your judgment, a serious one?—Quite the reverse.

4451. Before Captain Moore came forward, was there an address or requisition signed by Mr. M'Cann?—There was.

4452. Did you sign it?—I did.

4453. Attention has been drawn to the heading, "We, the undersigned, have formed ourselves into a committee to promote Mr. M'Cann's election;" did you ever meet, as a committee, the gentlemen who signed that requisition?—Never.

4454. Do you remember whose phraseology that was?—I do not.

4455. Do you recollect whether you signed that address?—I am under the impression that I did not sign it, but that I authorised some friend of Mr. M'Cann's to put my name to it.

4456. When did you first hear of Captain Moore as a candidate?—A few days before the election.

4457. Did you see him canvassing on the Monday?—I did.

4458. Were you canvassed on his behalf?—I cannot say that I was, for it was very well known that I was promised to Mr. M'Cann.

4459. Did you see Mr. Moore canvassing on the Tuesday?—I saw him going about the town.

4460. On the Monday and Tuesday in what state was the town; the Monday first we will take?—That was the day before the nomination.

4461. No, Tuesday was the day before the nomination?—I did not perceive anything particular.

4462. Were there crowds in the town?—There were crowds; yes.

4463. I believe you had had crowds in the town a little time before the election, owing to the weavers being on strike?—There were crowds.

4464. There were a great many people out of work?—Yes, there were.

4465. On the Tuesday did anything particular attract your attention?—Nothing particularly.

4466. Where do you live; do you live in the town?—I live in the town.

4467. In the heart of the town?—No, not exactly.

4468. How far from the Bull Ring, or the Tolsey?—I live one street removed from the Tolsey; I live within the town wall; within the boundary of the town.

4469. I believe you were not at the nomination?—I was not; I was professionally engaged.

4470. Were you about the town on the nomination day?—After one o'clock, I was.

4471. Did you find any difficulty in walking through the town?—None whatever.

4472. There were large crowds, I believe?—Yes, there were a great many people.

4473. Did you see any insult or violence offered to any one?—None.

4474. How long did you stay in the town that day?—From one o'clock I was in the town until about five.

4475. And then did you go to dine with a Mr. Cairns?—I did.

4476. Is he one of Mr. Moore's supporters?—Yes.

4477. Where does he reside?—About a mile and a half from the town.

4478. Had you any difficulty in going there or in returning?—None.

4479. How did you go?—On a jaunting car.

4480. On the Thursday was the town occupied by crowds of people?—There was a large crowd.

4481. Did you fear any danger from what you saw?—None whatever.

4482. Did you visit your patients on that day?—I did.

4483. In the town?—In the town.

4484. During the week, up to the Thursday, were the shops open as usual, as far as you had an opportunity of observing?—They were all open.

4485. Did you see ladies about the town?—I did.

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4486. On the Thursday?—I did.

4487. On the Wednesday?—Every day.

4488. On the Friday you voted, I think?—I did.

4489. Did you vote under any apprehension?—Not the least.

4490. Was there any obstruction at the poll of any kind?—Not the least.

4491. Did you see the dragoons out that day; on the Friday?—I did.

4492. Where were they?—They were drawn up in the street that I reside in.

4493. Did you see any occasion or necessity for their services?—I do not think they left the street until they went to their stables.

4494. Do you know Mr. Jordan's house;—I do.

4495. Did you observe that his windows were broken?—Yes.

4496. I believe Mr. Jordan is not very popular in the town from some cause or other, is he?—I dare say the election rendered him unpopular.

4497. Had there been municipal disputes before this contest?—There were.

4498. Had you had any window-breaking in Drogheda before the election?—Yes.

4499. How long before?—I dare say about a month.

4500. Who was that done by, do you know?—I cannot.

4501. Where there any crowds of these turn-out weavers when the window-breaking was?—Not to my knowledge.

4502. You know the constituency of Drogheda pretty well, I believe?—Pretty well.

4503. Were you surprised to hear that Captain Moore calculated on a majority of 40?—I was.

4504. Do you believe that such a majority could be secured by legal means?—I should suppose not.

4505 From your knowledge of the constituency?—From my knowledge of the constituency, I am led to think that it could not be by legal means.

4506. But supposing 1,200 *l.* or 1,500 *l.* to be brought into the town?—That would be quite a different thing.

4507. You have known elections at Drogheda before; was there any casualty or accident brought into the hospital during that election?—None.

4508. Did you ever know that occur at a Drogheda contest election before?—Never.

4509. Comparing this election with the one which took place in 1847, as far as you observed, which of the two was the most tranquil?—I must say the election of 1847. I took a very active part then, and was all through it; and I am very well aware of everything that occurred at that election; there was a great deal of violence then, but on this last occasion I have already said that I was not at the nomination, and I did not mix myself up so much with the election, and therefore I had not the same opportunity of judging; but I would say, from what I saw of the last election, that I never saw so quiet a one.

4510. And you were in the town from one o'clock till five on the day of the nomination, and you were about on the Tuesday and the Thursday?—I was going about my business; I was not particularly attending to the election business.

4511. Had you casualties at the hospital in 1847?—I had nothing very remarkable.

4512. But still there were some broken heads?—No, not exactly broken heads; there had been some casualties.

4513. Were voters obliged to be escorted by the military to the poll in 1847?—I cannot exactly recollect; but I know there was a great deal of difficulty during one night in 1847, when Sir William Somerville's voters were attacked in the middle of the night.

4514. But were the military called out?—They were.

4515. We have been told that there were apprehensions entertained on the Wednesday that Captain Moore could not proceed to the poll without bloodshed; did you share in those apprehensions, or do you believe them to have been well founded?—I do not; but at the same time, I was not present, you know, at the nomination.

Cross-examined by Mr. *Slade*.

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4516. I suppose that whether the apprehensions that were entertained were well founded, or not, would depend upon the scenes the parties witnessed?—I suppose so.

4517. The high sheriff is a very respectable man?—He is.

4518. Mr. Jordan, though perhaps not very popular, is very respectable?—Highly respectable.

4519. And Mr. Smith?—Yes.

4520. And Mr. Hammond?—Yes.

4521. They are all gentlemen of the first respectability in Drogheda?—They are.

4522. Some of them are Protestants, and some Roman-catholics?—Yes.

4523. From what you know of those gentlemen, are they gentlemen likely to form a just opinion of what would be likely to happen, arising from scenes at which they were present. I want to know whether they are gentlemen of ordinary firm minds?—I suppose they would know their own minds as well as I would mine.

4524. They are gentlemen capable of forming an opinion?—They are wiser than I am, a great deal.

4525. You say you were one of those gentlemen who formed yourselves into a committee to secure the return of Mr. M'Cann?—In allowing my name to be attached to that document, I was not under an impression that I was forming one of a committee at all; I was under the impression that I was signing a sort of encouragement to Mr. M'Cann to come forward; and I was authorised by a brother in law of my own to have his name attached to it.

4526. You know that Mr. M'Cann's committee-room was held at the White Horse hotel?—I do not know.

4527. You know that the White Horse was occupied by his committee, do you not?—I do not know as to his committee; his friends I saw there; I was not in it; but I saw some of his friends about the White Horse hotel.

4528. You saw Mr. M'Cann there, of course?—I never did.

4529. Did you hear any of the speeches that were made from the balcony of that hotel?—None.

4530. You heard of them, of course?—Indeed I did.

4531. You have been asked a good deal about the election in 1847, ten years ago; did you hear of any speeches of that kind being delivered at that election?—No, I did not.

4532. You have been asked about the military being called out; I want to know whether the same means were had recourse to; were there any speeches by the priests in 1847 addressed to the people?—Not that I recollect.

4533. Or ever heard of?—Or ever heard of.

4534. Is this the first election in Drogheda at which the priests have come forward within your recollection?—I cannot say that I ever heard them come forward openly.

4535. Before this?—I did not see them at this time.

4536. But you heard of their speeches?—I heard of their speeches at this election.

4537. Have you ever heard at any former election of the priests having come forward in that manner speaking to the public?—I do not recollect it.

4538. You know that Father Hanratty seconded Mr. M'Cann, do you not?—So I heard.

4539. Did you see the priests about in the election time?—I did not.

4540. Did you see them before the election?—I might have seen them casually; Mr. Hanratty I might have met in the way of my profession; he is chaplain to the infirmary, and local inspector of the gaol, and I am in the constant habit of meeting him.

4541. But did you see him about the town?—No, I did not.

4542. You said in answer to a question put to you by my friend, that you had seen the windows of Mr. Jordan's house broken; is that so?—I saw them after they were broken.

4543. Did you see any other houses where the windows had been broken?—Yes, I did.

4544. It has been stated here that there were eleven presentments made with reference to damage done; did you see as many as eleven houses where windows had been broken?—I did not.

 4545. How

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4545. How many did you see?—I think I just saw as I happened to pass through the streets, Mr. Jordan's, for his was in the gangway, in the main street I saw them; and I think I saw some panes of glass broken in another street, Fair street.

4546. At whose house was that?—That was the house of the Scripture reader.

4547. Do you know his name?—Wisdom.

4548. Did you see any places of worship of the Protestant religion with their windows broken?—I did not see them.

4549. You say that Mr. Brodigan's coming forward was "the reverse of serious;" that was your term?—I am certain that he was very serious.

4550. You, a friend of Mr. M'Cann's, considered Mr. Brodigan's opposition the reverse of serious?—Yes, it was perfectly ridiculous.

4551. My friend forgot to ask you what you thought of Captain Moore coming forward; now I will ask you?—Well, I thought he was late.

4552. When you found Captain Moore to be supported by Mr. Hammond, Mr. Smith, and Mr. Jordan, did you think that it was rather a serious opposition?—I supposed that they would have gone on to the poll.

4553. You thought it was something to be met?—I did.

4554. When you found gentlemen in that position and character in the town supporting Captain Moore, you thought it was an opposition to be met. Where were you on the Tuesday evening?—That was the evening before the nomination.

4555. Yes?—I was at home.

4556. You do not live in the centre of the town, do you?—No.

4557. You live in a bye-street?—It is in the town.

4558. But it is not a street in which mobs would be likely to collect?—No, it is not; it is on the bye-road to the gaol; it is a very public street.

4559. How far is it off the White Horse?—It is within a street and a half of the White Horse.

4560. There is a street and a half separating you from it?—Yes.

4561. *Committee.*] Should you think the distance is a quarter of a mile?—I should say it was about a quarter of a mile from the White Horse to my door; probably it is not quite so much.

4562. Mr. *Slade.*] You would have to go down one street and half another?—Yes; down Tyer-street, and then another; as far as from this to the Horse Guards, I suppose, or something like that.

4563. You say, I understand, that there was nothing particular on the Tuesday?—I saw nothing particular.

4564. Were you in your own house then on the afternoon and evening of Tuesday?—I was.

4565. And you were not at the nomination?—I was not.

4566. I suppose it was perfectly well known in Drogheda on the Thursday, the day intervening between the nomination and the polling day, that Captain Moore had withdrawn?—I was not aware that Captain Moore had withdrawn until about 11 o'clock that night.

4567. It appears you were out of town during the evening of the Thursday?—I was out of town that evening; I left home about five o'clock.

4568. You were in your house on the evening before the nomination day?—I was.

4569. And you were out of town during the nomination?—I was.

4570. My friend put it very pointedly to you, whether when you went to dine at Mr. Cairn's there was any difficulty in going there. It was perfectly well known in Drogheda, was it not, that you were a warm supporter of Mr. M'Cann?—Very well known.

4571. You may have been one of the most popular men there, and deservedly so, for anything I know?—I never met with any annoyance.

4572. It would have been very extraordinary if you had; you found no danger whatever?—No.

4573. And your windows were not broken?—No.

4574. About a month before the election you say there were some windows broken; were they broken with reference to any political excitement?—Not to my knowledge.

4575. Do you know how they came to be broken?—I do not.

4576. Can you tell us whose windows were broken?—In the street in which I live there are about eight or ten small houses in a row, and, to the best of my belief,

belief, there was glass broken in every house in that row; and there was some glass, I believe, broken in the Presbyterian House, which was at the head of the street.

4577. Was that all?—There was one large pane of glass over my hall-door broken about 11 o'clock at night.

4578. Have you any reason to believe that that was anything but the act of mischievous boys?—It was a mischievous act, certainly; but it was not a boy that broke my window.

4579. Do you know who it was?—No.

4580. How do you know it was not a boy?—Because a boy could not reach it; it was not broken by a stone.

4581. How was it broken?—It must have been broken by a club or a stick, or something of that kind. I was sitting in my own parlour when I heard a crash, and from the violence of it, I took it for granted that the gas-light in the hall had fallen. I ran out and saw the gas-light burning, and saw a large hole in the plate-glass over my hall-door. I opened the door and ran out, but could see no one. I searched the hall for a stone or any other missile, but there was no such thing; now it must have taken a very considerable blow to break it as it did, for it was plate glass.

4582. Have you never discovered who it was?—No; there was a reward offered, but there was no discovery.

4583. Was there a reward offered for the pane of glass broken in your hall?—For the panes of glass generally.

4584. And it was never discovered who the persons were who did it?—No.

4585. No presentment was made?—No; the mayor offered a reward of 5*l.* through the police.

Re-examined by Mr. *Phinn.*

4586. You say you saw that Mr. Wisdom's windows had been broken; is he the editor of the Conservative paper?—He is.

4587. And had he taken an active part about the missionaries, do you know?—He did; oh, yes.

4588. Had there been a good deal of excitement in the town, of a religious kind, previous to the election?—Not immediately previous to the election.

4589. How long before?—Months before.

4590. With reference to the church missionaries, I believe, and their converts?—Yes.

4591. The converts were called "Supers"?—Yes.

4592. And there had been a good deal of excitement in the town about it, had there not?—Yes; a good deal.

4593. Had there been a good deal of excitement also at that time about the nunnery question?—No, I think not.

4594. *Committee.*] Although you were not yourself injured or attacked, did you see in the course of the election week, any person attacked or injured in the street?—I did not.

4595. Did you see any crowd at any time in the street?—I saw large crowds.

4596. Did you see in the streets in which these crowds were, either Mr. Verdon or Mr. Smith; did you see either of those two gentlemen?—I did not; I might have met them in the street.

4597. But you did not see them ill-treated in any way by the crowd?—I did not.

4598. Did you pass through any street in which the crowd was during that week, between ten o'clock in the morning and five o'clock in the evening?—Why, I naturally avoided going through the crowd, but I was in streets where crowds were, and I might have passed on the opposite side of the way.

4599. On one particular day you say you left the town at five o'clock, namely on the Thursday?—Wednesday and Thursday.

4600. It was on Wednesday that you went out to dinner, or was that on Tuesday?—Wednesday and Thursday.

4601. On both those days you left the town about five o'clock?—Yes.

4602. And when did you return?—I was in my own house, I suppose, before 11.

4603. Therefore you can give us no information as to what took place between five and eleven at night on those two days?—None.

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4604. Were you in the town on the nomination day before 10 o'clock?—I was in the town on the nomination day; I left the town about six in the morning, and was not at home till about one in the day.

4605. Then of your own knowledge you know nothing of the state of the town on the nomination day during the time of the nomination?—Not of my own knowledge.

4606. After the nomination was over, did you meet any gentlemen who had been wounded, or who spoke to you of having been wounded, or who showed you that they had been wounded or attacked by the mob?—I never heard of anybody being wounded; not to my knowledge.

4607. After the nomination was over did any gentleman come to you, and represent that he had been ill-treated by the mob, or show you that he had been so?—I cannot recollect; I think that Mr. Cory, the police officer, said something about his having had some knock on the head; I am not sure that it was on that day.

4608. Were you applied to professionally?—No, certainly not.

4609. Mr. *Phinn.*] Were not you introduced to Mr. Moore by Mr. St. George Smith in the street on the Tuesday?—I was introduced to Captain Moore by Mr. St. George Smith in a shop in the main street.

4610. On what day?—I think the day before the nomination.

4611. That would be the Tuesday?—Yes.

4612. Mr. *Slade.*] Did you not request Mr. Smith to introduce you to Mr. Moore?—I did; I had known Mr. Moore some years before; I had met him.

[The Witness withdrew.

Mr. *John Chadwick* was called in; and, having been sworn, was Examined by Mr. *Power* as follows:

Mr. *J. Chadwick.*

4613. ARE you a Magistrate of Drogheda?—I am.

4614. And an elector of that borough?—Yes.

4615. Were you in Drogheda during the last election?—Every day except on the Tuesday of that week.

4616. You have witnessed other contested elections at Drogheda, have you not?—I have.

4617. Had you a full opportunity of seeing, with the exception of the Tuesday, when you say you were absent, what was going on during the last election?—Yes, from about ten o'clock in the morning till five o'clock in the evening.

4618. With reference to former elections, what in your judgment was the conduct of the people during the last election, was it more or less violent?—I should say it was less violent than it was at the former election.

4619. Mr *Slade.*] Than which former election?—Sir William Somerville's.

4620. Mr. *Power.*] Was that in 1847?—Yes.

4621. We understand that in 1852 there was no opposition to Mr. M'Cann at all?—No, he walked over.

4622. On the occasion of the last election, were you present at the nomination?—Yes.

4623. When you came to the tolsey, did you find any difficulty yourself in getting it?—The doors were locked, and the steps were occupied by Mr. Moore's friends.

4624. They got before you?—They got before us.

4625. When the door was opened did they get in first?—There was a cry then, a shout of "Mr. M'Cann's friends to the right, and Mr. Moore's to the left;" and we had a bustle in getting in.

4626. When you did get in, did you arrange yourselves in that way?—I saw most of Mr. M'Cann's men to the right, and some I saw afterwards going to Mr. Moore's side, where there was more room than there was on Mr. M'Cann's.

4627. Before the crowd got in had parties the opportunity of arranging themselves on either side of the platform?—Decidedly; the court-house was comparatively empty for a few minutes.

4628. How long elapsed from the time when you and the rest of Mr. M'Cann's supporters, and Captain Moore and his supporters, got in, to the time when the doors were opened, so as to let in the crowd; how many minutes should you say?—I should

—I should say fully five minutes; the doors were open all the time, but the police prevented the populace from getting in.

4629. We have heard that there was a cordon of police which kept out the crowd till you and the other principal supporters of Mr. M'Cann and Mr. Moore had got in?—Yes, the populace were kept out.

4630. And about five minutes elapsed from that time till the populace were let in?—Yes.

4631. What took place after the people got in?—There was a noise and disturbance, shouting and hooting, consequent on such occasions.

4632. Did you see a similar scene at the election in 1847?—Yes, very frequently.

4633. Shouting, hooting, and spitting?—I did not say spitting; but I do not hesitate to say there was spitting.

4634. So far as you could see, was there any difference in the row; was it all a row, so far as the people were concerned on both sides?—The majority of the populace were in favour of Mr. M'Cann.

4635. But were the minority as uproarious as the majority, so far as you could see?—I could see no difference; I could not discriminate.

4636. We hear that all the candidates were proposed and seconded; how long a time did the nomination last, from the time when the first candidate was proposed, till the speech of the seconder of the last candidate; how long did the proceedings last?—I think we were all out before one o'clock.

4637. What time did it begin?—We got in the tolsey at 10; and I think Mr. Verdon commenced his proceedings in about half-an-hour afterwards.

4638. Was the writ read?—Yes.

4639. And were all the usual formalities observed?—Yes.

4640. And you got out, you say, about one o'clock?—I am almost certain it was before one.

4641. In your judgment did anything occur during that nomination which, of itself, would be sufficient to deter Mr. Moore from proceeding with the election? Certainly not.

4642. After the nomination were you about Drogheda?—Yes.

4643. In what state was the town on the afternoon of the nomination?—Sometimes there were more and sometimes less people in the streets; there was the natural excitement and bustle that is consequent on any contested election.

4644. Did you witness any violence used towards anybody?—I saw none.

4645. You are a magistrate; did you attend the petty sessions next after the election?—Yes.

4646. Were there any cases of assault or injury of any kind brought before you?—There were two on the clerk's books.

4647. Just give us the history of them?—One was not followed up and the other was dismissed.

4648. So far as you know, was that the only charge connected with the election?—The only one.

4649. Who were those two persons?—I do not remember the names.

4650. What was the nature of the charge?—One was, I think, an assault on one of the police; and the consequence was, I believe, that Mr. Derinzy was knocked on his knee.

4651. Was that charge prosecuted further; or was it abandoned?—No; Mr. Derinzy relinquished it.

4652. Was Mr. Derinzy present?—He was.

4653. What was the other?—The other did not come before us, inasmuch as there was no prosecutor, and there were no witnesses.

4654. How soon after the election was this petty sessions held?—I think on the Monday but one afterwards; as well as I recollect it was the first petty sessions; I think it was the Monday but one afterwards.

4655. With reference to that, was there any prosecution at the assizes or at the quarter sessions, or was there any other criminal proceeding taken, arising out of this election?—For assault or riot?

4656. Yes?—None.

4657. How long have you been an elector of Drogheda?—Since the Reform Act.

4658. You know its constituency?—Yes.

4659. Knowing that constituency as you do, do you believe that by legal means

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Captain Moore could have had any chance of success there at the last election?—I do not.

4660. Might the expenditure of 1,200 *l.* or 1,500 *l.* have done anything?—It might have bought a few votes.

Cross-examined by Mr. *Slade.*

4661. Do you agree with Doctor Pentland, that Mr. Brodigan's chance was ridiculous?—Perfectly ridiculous.

4662. You never had any apprehension about him?—None.

4663. Are you of opinion that Mr. Moore's chance was more serious?—I thought Mr. Moore had all the Conservatives on his side.

4664. Did you consider Mr. Moore's to be a very serious opposition?—I never had the least fear in my mind of gaining the election; never the least.

4665. Not when you saw gentlemen like Mr. Jordan, Mr. Hammond, and Mr. Smith, joining the party of Captain Moore?—Not the least.

4666. You felt quite confident?—Quite confident.

4667. You were one of Mr. M'Cann's committee, I suppose?—Yes, I was one of those 138 names.

4668. You were active, I suppose?—I canvassed for him.

4669. And you were active for him?—Yes.

4670. You were a very valuable adherent, no doubt; you were familiar with the former elections at Drogheda, were you not?—No, this was the first I took a part in, almost.

4671. You took a pretty good part in this?—I canvassed for Mr. M'Cann.

4672. This "White Horse Inn" you know was his head quarters, was it not?—Yes.

4673. Are you the party that retained it?—No.

4674. Can you tell us who it was?—I do not know.

4675. But you know it was retained?—I know it was retained.

4676. And a special sum paid for the use of the balcony?—I know I heard some people speak of retaining it.

4677. And a special sum was paid for the use of the balcony?—No; for the use of the hotel.

4678. And the balcony?—No; the balcony is a part of it.

4679. *Committee.*] Do you know whether any particular sum was paid for the use of the balcony?—I have heard since.

4680. Mr. *Slade.*] That is a valuable outwork you know—the Fort; were you there pretty often, in the room?—Once.

4681. When was that?—I think it was on Thursday.

4682. That is the day before the election?—The day before the election.

4683. The day before the polling; where were you on the Tuesday evening?—The Tuesday evening?

4684. Yes?—At my own house.

4685. Where is that?—I was not in Drogheda on Tuesday; I said so.

4686. Then you did not hear Father Hanratty?—No.

4687. I have heard you say that this was a less violent election than that of 1847; were you present during the whole of the election in 1847?—I think I took a more active part for Sir William Somerville at that time, or at all events, as active a part as I did for Mr. M'Cann this time, though I had no vote.

4688. I thought you told me that 1847 was the first time that you had taken an active part in any election?—I had not a vote at Sir William Somerville's election, but I saw as much of the election in the streets and in the town, as I did of this election.

4689. Did any priests appear on the occasion of the election in 1847, and harangue the mob?—The impression on my mind is, that but for the interference of one clergyman, Sir William would have lost the election.

4690. That is no answer to my question; did any priests harangue the mob then?—I heard none.

4691. That is the proper answer to give to a plain question; and you heard of none, I suppose?—No, I heard of none.

4692. You say that in your opinion, this was a less violent election than the one in 1847?—In my opinion.

4693. Were you in the Tolsey on the nomination day in 1847?—Yes.

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4694. On the nomination day at the present election, the election in 1857, did you witness an attempt to throw Mr. Mayne over the rail into the body of the court-house?—I saw nothing of the sort.

4695. That escaped your attention?—I did not see it.

4696. You saw, I think you say, parties spitting?—Yes.

4697. Did you observe that Mr. Jordan was covered with spittle?—The person I saw spat upon was Mr. Brodigan; I did not see Mr. Jordan spat upon.

4698. Was there any spitting, or anything of that sort had recourse to at the nomination in 1847?—No.

4699. You say you could not discriminate between the conduct of the majority, and the conduct of the minority on the occasion of the nomination in 1857; did you see anybody in the minority, as you call them, spitting?—The number of persons I saw spitting, would not exceed four or five.

4700. Then it would be easier for you to answer the question; did you see anybody known to be on the side of Captain Moore, spitting?—I did not know who they were that spat.

4701. That is the answer you give me?—Yes.

4702. Was Mr. M'Cann spat upon?—No.

4703. Were any of Mr. M'Cann's supporters spat upon, to your knowledge?—No.

4704. Did you hear Mr. Moore's speech?—No.

4705. Did you hear him proposed or seconded?—I saw his proposer moving his lips; but I could not hear a word he said.

4706. Did you hear the proposers and seconders at the election of 1847?—Yes.

4707. And did you hear the candidates express their sentiments in 1847?—Yes; there was interruption then, too.

4708. Were you able to hear either Mr. Moore or Mr. Brodigan speak on the nomination day?—I could not hear a word they said.

4709. When was it that you were made acquainted with the fact of Mr. Moore having retired?—On the Thursday morning.

4710. It was very easy to get up to the poll, of course?—Yes, very easy.

4711. You gave Mr. M'Cann a plumper, I suppose?—I voted for Mr. M'Cann.

4712. There was no difficulty in going to the poll?—None.

4713. It was not a scene resembling at all that which took place on the Wednesday?—No.

4714. But it was all quiet?—There were more people in the streets.

4715. But they were in a very different sort of temper, I suppose?—No; they were much in the same temper, shouting and hallooing.

4716. Did you see any spitting?—Not in the court-house.

4717. Or outside the court-house on the day of the election?—No.

4718. Are you the proprietor of some flax mills in Drogheda?—Yes; part proprietor.

4719. With Messrs. Gradwell?—Yes.

4720. Were both those gentlemen members of Mr. M'Cann's committee?—They were on that list of 140.

4721. Is one of your mills called St. Mary's mill?—Yes.

4722. Does that mill work every day in the week except part of Saturday?—Yes; it works until two o'clock on Saturdays.

4723. What is the number of hands that you employ; is it 500 or 600?—In that mill about 550.

4724. Were the greater part of those hands allowed to go out into the town on the nomination day?—There were none allowed out on the nomination day.

4725. On any day during the election?—After dinner on Friday they were let out, contrary to our directions.

4726. They were not out any other day but Friday?—No.

4727. You have said, in answer to my friend, that there were no legal measures taken with reference to any assaults, with the exception of two cases of assault, one of which was not followed up, and the other of which was dismissed; are you aware of the eleven presentments?—When I was asked that question it was as to riot and assault.

4728. This was for riotous proceedings?—I am aware of the presentments.

4729. They were sanctioned by the judge; Judge Jackson?—Yes.

4730. Did you see any of the houses that had been racked?—Mr. Jordon's only.

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4731. Did you see any other?—No other.

4732. Did you see Mr. Rowland's house?—I did not see any windows broken in it; there might have been, but I did not see any.

4733. I believe you voted against the presentments with Mr. Carty, the mayor?—I voted against going into the merits of the case on some technical objections.

4734. You were one of those, were you not, who supported the objection that the informations were not to be taken notice of, because the magistrate had not put the letters "J. P." after his name?—That was not the only objection.

4735. Another objection was that the informations were intituled, "County of the Town of Drogheda," instead of "The Borough of Drogheda"?—I thought it a fair case in which to appeal to the judge.

4736. Are you one of the eleven who walked out and would not vote when they came before the grand jury?—Yes.

4737. Now give your reason?—Because I thought it was premature of the grand jury to entertain anything that did not come from the presenting sessions,—the road sessions.

4738. You were one of the magistrates at the presenting sessions?—I was a magistrate in the morning, and in the evening I was one of the associated cess-payers, being a magistrate with, I think, ten altogether.

4739. That is the time when there were five for and five against, and when Mr. Carty gave the casting vote?—The first day; the second day there were five to three, I think.

4740. Against receiving them?—Yes, on the Friday.

4741. What was the occasion on which eleven of the grand jury went out of the room?—It was the grand jury; when they entertained the fiscal business of the town. When those parties that had applied for compensation for their windows being broken applied to the grand jury, my opinion was that we had no right to entertain it, as there was nothing before us from the presenting sessions.

4742. They go before the presenting sessions, and on a technical objection their presentment is rejected; is that it?—No; we objected to go into the merits of the case.

4743. On a technical objection?—On a technical objection.

4744. Then they go afterwards before the grand jury?—Yes.

4745. And you being one of the grand jurymen present with 10 others, leave the room?—I thought we had no right to entertain it, and left the room in consequence.

4746. And did not vote?—And did not vote.

4747. Then it came before the judge and he overruled all the objections; did he not?—He desired the grand jury to entertain it, and then we gave damages.

4748. Did you vote upon those damages; did you come back?—No, I was not present.

4749. And do you know that the other 10 gentlemen who had gone out of the room with you, also remained out?—I cannot speak to a certainty.

Re-examined by Mr. *Phinn.*

4750. I believe the objection was taken by an attorney, was it not?—Yes.

4751. Did he point your attention to a decision of the Court of Queen's Bench about examinations, "The Queen and Stockton-on-Tees"?—He entertained us for a very long while.

4752. Whatever you did, did you do it intending to do your duty to the best of your power?—Decidedly.

4753. With regard to the grand jury, Mr. Brodigan, I think, was in the chair?—He was foreman.

4754. Did he decline to put the resolution to the grand jury?—He declined to put the resolution to the grand jury, I understood; I was out before that; I do not know of my own knowledge, but I think so.

4755. I believe you left behind some people who were actually seeking compensation, as members of the grand jury, did you not?—Yes.

4756. You have been asked about the nomination day, about this spitting and so on; have you been at other nominations in your life?—I was at Sir William Somerville's nomination in 1847.

4757. But

4757. But out of Drogheda?—No.

4758. I dare say you have been at public meetings where unpopular speakers have not been allowed to speak, or where they have not been listened to?—Yes, I have been at mayor's elections.

4759. At Drogheda?—Yes.

4760. And it is sometimes difficult for an unpopular candidate to speak there?—At the last election but one there was more crowd, I think, and bustle than there was on any one day of the election; I mean the time when Mr. Carty was made mayor.

4761. You were aware there were a good many weavers out of work, were you not?—Yes.

4762. How many had you out at strike, do you think?—It is impossible to say, but I should say at least 500.

4763. My friend has asked you about the 140 names appearing on the list that has been given in; did you ever meet as a body to conduct the business of the election?—No; those names were got upon the Thursday previous to the election.

4764. Did you ever meet to interest yourselves in the affairs, the money or anything of that kind, of the election?—Never.

4765. And in signing that paper, did you undertake to conduct the affairs of the election in any way?—I merely signed it as a supporter of Mr. M'Cann's; and the whole document was got up to let any opponent (of whom there was at that time only a rumour) know what he might expect.

4766. Have you served the office of high sheriff yourself?—Yes.

4767. You were asked about the priests; had there been some placards of an objectionable character to the Roman-catholics posted about the town?—

Mr. *Slade* objected to the question.

The question was waived.

4768. Had there been placards posted about the town?—Yes.

4769. Were they objectionable to the Roman-catholics?—They were.

Further cross-examined by Mr. *Slade.*

4770. When were those placards posted?—At different times within, you may say, the last two years, from time to time.

4771. How lately before this election had there been placards posted against the Roman-catholics?—There were some in the streets on the day of the election.

4772. Were they fresh ones or old ones, which no one took any notice of?—I could not say; they were legible.

4773. Just legible?—Perfectly legible.

4774. How long had they been up?—They might have been up a month or a day; I could not tell.

Examined by the *Committee.*

4775. Did any person during the time of the election make application to you for protection against assaults?—No, no person.

4776. Did you receive from any person, on the part of Captain Moore, any kind of application for assistance?—None whatever.

4777. During the time of the election, you being a magistrate of the town, who did you consider to be the person responsible for keeping good order?—I looked on Mr. Derinzy and the mayor as responsible.

4778. Did you consider the high sheriff to be the person responsible for the preservation of order?—I was aware that the high sheriff during elections had full authority; that was my impression.

4779. Supposing there had been any such disturbance as that you should have thought it right to interfere, to whom should you have looked as your immediate superior, the high sheriff or Mr. Derinzy?—I should have gone to Mr. Derinzy.

4780. Is it, according to your notion, the practice in Ireland, that when a stipendiary magistrate goes to a place at the time of an election, he in a manner supersedes the local authorities; I mean, is he the person responsible for the pre-

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servation of good order?—He is the person I should have gone to, most decidedly, with the impression, that in going to him I was doing right.

4781. Supposing the military had been called out, would it have been Mr. Derinzy or the high sheriff or the mayor who would have called them out?—I should have said Mr. Derinzy, because we conceived that he had full power over the military and police; they were under his full control.

4782. In 1847, do you remember whether a stipendiary magistrate was sent down?—I do not recollect.

[The Witness withdrew.

Mr. *William Campbell* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

Mr. *W. Campbell.*

4783. I BELIEVE you are treasurer of the corporation of Drogheda?—I am.

4784. Have you any other occupation?—I receive rents for parties.

4785. Under the Court of Chancery and for various people?—Yes.

4786. Has your occupation as such brought you acquainted with the voters at Drogheda?—I know the voters of Drogheda very well.

4787. And have you attended to the registry?—I have.

4788. Were you at Drogheda during the last election?—I was.

4789. We are told, that on the canvass Captain Moore had a majority, varying from 40 to 80 votes; from your knowledge of the persons of Drogheda, do you think that that majority could have been polled by legal means?—It could not.

4790. Would the expenditure of 1,200 *l.* or 1,500 *l.*, in your judgment, have created a difference?—It would, a great difference.

4791. Do you say that, having particular voters in your eye?—I do.

4792. You know the freemen well, I believe?—I do.

4793. The forty-shilling freeholders are another class?—They are equally as corrupt.

4794. Were you in the town during the election?—Every day, with the exception of the intervening day between the day of nomination and the day of polling; I was not in town till late in the evening of that day.

4795. Did you sign the requisition to Mr. M'Cann?—No.

4796. Did you vote at all?—I did.

4797. Who for?—Mr. M'Cann.

4798. Had you previously, in 1852, been a supporter of his?—No.

4799. You say you were in the town every day except Thursday?—Yes.

4800. What was the state of the town on the Tuesday?—There were crowds in the street, but it was generally quiet on the Tuesday.

4801. Where were you on the evening of Tuesday?—I went down about four o'clock.

4802. On the Tuesday, did you see Mr. Moore and Mr. St. George Smith?—I did.

4803. What were they doing?—They were walking in the street canvassing, either on the Tuesday or Wednesday; I think Mr. Smith introduced Captain Moore to me either on Tuesday or Wednesday in West-street.

4804. Was there a crowd at the time?—There were a good number of people.

4805. Did you see any insult or annoyance offered them?—No.

4806. Were you at the nomination?—I was.

4807. Were you in the crowd before the doors were opened?—No.

4808. How did you get in, then?—Having an office in the court-house I went in, and went up to my office, and got the key of the water-closet, and got on the gallery.

4809. You being an officer of the corporation had access from within?—Yes.

4810. Did you get in before or after the general crowd was admitted?—The general crowd was in when I was admitted; I should say I just came in when M'Carty was seconding or proposing the candidate, Mr. M'Cann.

4811. During M'Carty's speech, was he interrupted at all by any one?—Indeed he was.

4812. Who by?—By the supporters of Mr. Moore.

4813. Do you recollect what sort of interruptions they were?—Hooting and hissing and clapping, sometimes to make a noise.

4814. Was

4814. Was that what you call Kentish fire?—I believe it is something like it.

4815. Did you hear Mr. Brodigan proposed and Captain Moore?—I did.

4816. I am afraid you did not hear much of their eloquence?—I did not indeed.

4817. Was the scene in the court-house more or less violent than you have been accustomed to see on such occasions?—I have seen it as violent.

4818. On what occasions?—At the election in 1847.

4819. In 1847 you took Sir William Somerville's part?—I did.

4820. That was not the popular side?—It was not.

4821. The Repeal candidate was more popular?—He was.

4822. Was there a good deal of hooting and hissing on that occasion?—Indeed there was a great deal.

4823. Do you recollect whether you heard Sir William Somerville's eloquence on that occasion?—I heard but very little of it.

4824. Did you see any stones thrown within the court-house?—No.

4825. If there had been stones thrown, must you have observed it, do you think?—From the time I went in until I left, I saw no stones thrown.

4826. After the nomination, were you in the town?—I was.

4827. Do you know a man named Richard Rowland?—I do.

4828. Is he the attorney or the father of the attorney?—He is brother to the attorney.

4829. Does he live with the attorney?—No; he was living with his father.

4830. What time was it you saw him?—Between two and three o'clock, I think.

4831. Where was it?—Coming down Peter-street, opposite the court-house.

4832. Between two and three o'clock, I think you say?—Yes.

4833. Had you known Rowland before?—Well.

4834. What sort of a person is he; is he a quarrelsome person?—Indeed he is; he is not a very good character.

4835. Did you see him do anything on the Wednesday?—I saw him throw a table upon the crowd.

4836. Where from?—From M'Geough's shop door.

4837. How near was it from his own house where he lives?—I suppose about 100 yards.

4838. Have you known him in broils before?—Indeed I have.

4839. *Committee.*] Did you say you saw him throw a table on the crowd?—I did.

4840. Mr. *Phinn.*] What had the crowd been doing to him?—They were hooting him; he was coming down Peter-street, and there was a crowd after him hooting him; and he stood at M'Geough's door, and they were hooting and hissing him, and he deliberately lifts up a table and flings it on the crowd.

4841. And what did the crowd do?—They broke the table and threw it at him.

4842. Before he threw the table at them, had the crowd done anything to him besides hiss and hoot him?—Not that I had seen.

4843. In 1847 you told us you saw the nomination, I think?—I did.

4844. Did you canvass with Sir William Somerville?—I did.

4845. In Drogheda?—In Drogheda and the suburbs.

4846. In Drogheda and in the district about the town?—Yes.

4847. Was Jordan with you?—He was.

4848. He was on Sir William's side on that occasion?—Yes.

4849. Did you find you required protection when Jordan was with you?—When we canvassed the forty-shilling freeholders who resided at Wallace's-row or Girlingstown, we were pelted with mud and dirt, and some stones were thrown.

4850. Had you any dragoons with you?—The then mayor had to come after us to protect us with a troop of dragoons.

4851. On the polling, were the voters escorted by dragoons?—They were by police.

4852. By the public police?—By the public police: the police were stationed in different parts of the town.

4853. Do parties run high in the municipal disputes in Drogheda?—At present they do.

4854. And previous to this election?—Yes, and previous to the election.

4855. Are you aware what force was stationed in the town—a troop of

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dragoons, a company of infantry, and 165 police?—I do not know the number; there were not many dragoons and not many infantry.

4856. In your judgment, if the force had been properly used, could they have dispersed this crowd?—There is not the least doubt of it.

4857. Do you believe there would have been any difficulty, if they could have found voters enough to go up to the poll, in their polling?—I think there was sufficient protection for any one to vote.

4858. If Captain Moore had remained?—Yes.

4859. But I think you say it would have required money to have procured a majority?—It would; and a large sum too.

Cross-examined by Mr. *Slade.*

4860. Your opinion is formed from your knowledge that some parties do take money?—A great number do.

4861. Are you the man who generally does that work?—No.

4862. Who does?—I do not generally do it.

4863. Who does; you are giving us your knowledge; who does?—I do not know; other parties do it.

4864. You say a large sum of money would be required, and a great many take bribes; who does the work; who bribes?—I cannot tell the party exactly who bribes; I have bribed myself; I make no mystery at all about it; it was done in 1847.

4865. Did you bribe for M'Cann's party?—No.

4866. Who for, then?—I bribed in 1847.

4867. Who for?—For Sir William Somerville.

4868. Did you bribe to a very large extent?—No, I did not.

4869. How much?—Only a few.

4870. How much did you spend?—I think about 40 *l.*

4871. And how much stuck in your own palm in the way through?—Not one farthing.

4872. You got nothing yourself?—Not one farthing; nor never have got anything.

4873. You were only a briber, and not a bribee?—I was canvassing for Sir William, and had an interest in returning him.

4874. Canvassing for Sir William with your pocket full of money?—No; it was not exactly full of money.

4875. Did you ever bribe before?—No.

4876. That was the only time?—Yes.

4877. Are you quite certain?—Perfectly.

4878. From having bribed forty pounds' worth in 1847, you think Mr. Moore could not by possibility have got in without spending 40 *l.*?—£. 40.

4879. That would be nothing?—That would not go any distance at all in the way of bribery.

4880. Do you mean to represent that more than 40 *l.* was expended in bribery in Sir William Somerville's election?—Oh, indeed I do.

4881. How much was spent?—I could not tell you how much was spent.

4882. What do you think; several hundreds, I do not doubt?—It cost him a good deal, I should say.

4883. You tell us you attend to the register?—I do.

4884. Will attending to the register give you an opportunity of knowing who is open to a bribe?—I know all the parties who are open to a bribe.

4885. Perhaps you will tell us how many there are?—A great number of the freemen are open to bribery.

4886. How many freemen are there?—I could not tell from recollection; but there are 40 or 50 of them who will take a bribe; at least 40; I am certain of it.

4887. Of the freemen?—Yes, of the freemen.

4888. My friend put a very significant question to you at the beginning of his examination, which he did not pursue; he asked you if you had any other employment besides that of being treasurer of the corporation; you said you received rents?—Yes; I am agent for parties, and also agent under the Court of Chancery.

4889. Were you ever in the Excise?—I was.

4890. How came you to leave it?—I will tell you how I left it now; and I am very glad the question was put to me: I was on a distillery in Scotland, and previous to my going to visit the distillery in the morning, the distiller sent out of his stock two puncheons of whiskey; at eight, or between eight and nine in the morning, he came down to me for the permit; I wrote the permit, as was my duty, and gave it to him. Before he came to me for the permit, or about the time he was getting the permit, I believe, his whiskey was seized. He asked me how he would get the whiskey out from the Commissioners; and I gave him a form of a memorial, and instead of copying the memorial I gave him, he sent the manuscript—the original; instead of making a copy, he sent the original, and that was what I was dismissed for.

4891. You were dismissed for drawing a memorial for a man?—That is the fact, as I believe it to be; there is no doubt that that is it.

4892. Did you get anything for drawing the memorial?—Not a farthing.

4893. Nor a farthing's worth?—Nor a farthing's worth.

4894. What was your office worth?—About 80 *l.* a year.

4895. And you mean to represent that you lost 80 *l.* a year for drawing the memorial?—I do.

4896. There was no other cause assigned for turning you out?—There was no other cause assigned to me for it; I am not conscious of doing any wrong act except that, drawing that memorial, for I was removed from the place a short time afterwards, and promoted, I may say, at the same time; and after getting leave of absence for about a fortnight, (every year parties in the Excise apply for leave of absence,) and after coming over to England to see some of my friends there, when I got back I was dismissed; there was an order removing me from the service entirely.

4897. And no reason assigned?—No reason assigned.

4898. Did you ever apply to be re-instated?—I did.

4899. What was the result?—There was a change in the Government at the time.

4900. Your friends have been in power a great many years, surely they have been able to put you in again?—I then got a situation afterwards in Drogheda; that was immediately afterwards.

4901. Now I want to know what do you call attending to the register; do you attend in the courts to look after the register?—I always attend in the court whenever the registration is going on.

4902. Do you attend on anybody's behalf?—On the Liberal side.

4903. Are you paid for that?—No.

4904. Are you the agent?—No; I take an interest in the registry.

4905. That is all?—I take an interest in the registry.

4906. You say you were not in town after four o'clock on the evening of Tuesday?—Not after four or five o'clock on the Tuesday.

4907. You did not see the meeting; at the White Horse?—On the Wednesday evening I think there was a meeting, I do not think I was there on the Tuesday; I think I went home about four or five on the Tuesday.

4908. On Wednesday there was a meeting?—Yes.

4909. Were the people addressed from the balcony?—They were.

4910. Did the priests address them?—I had not seen them, nor had I heard them, for I was in the room and took no part in the meeting; I was not in the meeting, I was in another room distinct, taking a glass of punch.

4911. Were the priests there?—Not with me.

4912. But were they in the balcony?—I do not know; I did not go out of the coffee-room at all, in fact.

4913. Are the priests here?—They are.

4914. Is Father Hanratty here?—He is.

4915. Is Father Montague here?—He is.

4916. Is Father Machan here?—He is.

4917. Is Father Powderly here?—No.

4918. Those other three gentlemen are here?—They are.

4919. When you were having this glass of punch where was Mr. M'Cann?—I do not know.

4920. I suppose you saw him there at the White Horse pretty often?—No; I had nothing whatever to do at Mr. M'Cann's committee.

4921. You never saw him at the White Horse?—No, I never saw him.

4922. Did you hear Mr. M'Cann proposed and seconded by Mr. Carty and

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Mr. Hanratty?—I heard Mr. Carty's speech in proposing him, and I heard Mr. Hanratty; I was behind him when he was seconding the nomination.

4923. Did you hear anybody propose and second Mr. Moore?—I did.

4924. You heard them?—Yes.

4925. Where were you standing?—On the bench.

4926. How close were you to the high sheriff?—Not a yard further than I am from you, I should say.

4927. Did you hear Mr. Moore proposed and seconded?—I did; and I saw the gentleman that proposed and seconded him.

4928. Did you hear him?—I did.

4929. Did you hear what he said?—I do not mean, by saying I heard him, that I heard all that he did say.

4930. You know very well what I mean?—I did not hear the entire of his speech.

4931. Did you hear any of it?—I did.

4932. How much?—I heard him mention the name of Mr. Moore.

4933. Was that all?—Yes.

4934. Will you swear you heard that?—I will.

4935. You will?—It is not that I will, but I have done so.

4936. And did you hear his name mentioned again when he was seconded?—No, I did not.

4937. You did not hear him seconded?—I heard Mr. Jordan say he would second the nomination.

4938. That is very extraordinary; you are the only man in the court-house who heard it: you heard it?—I heard Mr. Jordan say a few words, and that was all.

4939. Then you heard Mr. Jordan more than you did the proposer; you only heard the word "Moore" in the proposer's speech?—I heard Mr. Jordan say he rose to second the nomination. I would not swear I heard him mention Mr. Smith's name, but I heard him speak, and then there was a noise, and I did not pay much attention to it.

4940. Do you know Mr. Chadwick?—I do.

4941. Where was he?—I think he was convenient to me, but he was not in the same position as I was.

4942. Was he nearer to Mr. Jordan than you?—I may say he was nearly under me.

4943. Then he was nearer?—He was immediately under where I was. I was higher up than Mr. Chadwick.

4944. I thought you told us you got in through your office?—I got the key out of my office, and got into the body of the court by the water-closet, and up on to the bench.

4945. Does the bench slant downwards, then?—No, it is level.

4946. How do you mean Mr. Chadwick was below, then?—There is a railing goes up leading to the water-closet, and I got standing on the top of this railing; and I was, in fact, elevated a good distance over any person that was on the bench.

4947. I suppose you were very quiet?—I generally am.

4948. Did you make any noise upon that occasion?—I might have made a hiss, or something of that sort.

4949. Did you?—I think I did.

4950. I have no doubt about it myself, from your manner. You did not hiss very much under your voice; I suppose you made a pretty good noise?—Indeed I did not.

4951. There was a good deal of noise?—A good deal.

4952. It was very difficult to hear?—Yes.

4953. Do you think Mr. Moore's speech was heard?—Well, I do not think it was all heard.

4954. Did you hear any of it?—I heard him speak.

4955. Did you hear what he said?—I did; I heard only a word or two drop from him.

4956. Here and there, or only a word or two?—A word or two that dropped from him. I did not hear his entire speech, nor the half of it.

4957. Did you hear any of his speech?—I did.

4958. Were you hissing at that time?—No.

4959. You

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4959. You were quiet when Mr. Moore spoke; when was your hissing going on?—I think it was when Mr. Brodigan was speaking.

4960. You say you saw a scene as violent at the election of 1847?—A much noise.

4961. You said as violent?—Well, as violent.

4962. You had an opportunity of seeing every thing while you were on the rail?—I had a very good opportunity.

4963. Did you see anybody try to throw Mr. Mayne over into the body of the court?—No, I did not see it.

4964. You said you saw no stones; did you happen to see a great leaden ink bottle thrown at Mr. Brodigan's head?—No, I did not.

4965. You did not see that either?—No.

Re-examined by Mr. *Power.*

4966. You told my friend that you heard a word or two of what Mr. Moore said?—Yes.

4967. Do you remember Mr. M'Cann coming forward, when the people were disinclined to hear Mr. Moore, and beg they would give him a hearing?—I do.

4968. Did M'Cann appear to you to use all his influence to endeavour to get a hearing for his opponents?—He did.

Examined by the *Committee.*

4969. You said that you did not see the leaden inkstand thrown at Mr. Brodigan's head?—I do.

4970. Did you see any marks of ink on his clothes?—I did not.

4971. Did you see him when the nomination was over?—I did.

4972. You stayed to the end?—I stayed there till the crowd all dispersed.

4973. Did you see Mr. Brodigan after the nomination?—I did.

4974. Did you then see any marks of the ink, or of an inkstand having been thrown at him?—I did not.

4975. Mr. *Slade.*] Did you see Mr. Jordan spat upon, or his coat torn?—I saw Mr. Jordan spat upon.

4976. *Committee.*] In the last election?—In the last election.

4977. Mr. *Slade.*] And the coat torn?—No, I did not see his coat torn.

4978. *Committee.*] Were you near enough to the high sheriff to see what he did?—I saw the high sheriff was in a crowd on the bench among a number of gentlemen; friends of Mr. M'Cann and the friends of Mr. Moore were about him.

4979. The high sheriff was the presiding officer, was he?—He was.

4980. Did they keep any sort of order round him?—They were all crowded round him.

4981. Did he seem to be able to help himself, or was he pushed about in the crowd?—They were all gentlemen that were round him; I do not think they would push him about; they were gentlemen of the same standing as himself.

4982. Should you say from what you saw that the high sheriff was insulted, or attacked, or pushed?—He was hooted.

4983. Did you hear the high sheriff give orders for the mob to be admitted?—No.

[The Witness withdrew.

Mr. *Patrick Ternan*, Junior, was called in; and, having been sworn, was Examined by Mr. *Power*, as follows:

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4984. ARE you a merchant residing in Drogheda?—I am.

4985. I believe your father is a magistrate for the town?—He is, and has been so for a long time.

4986. And I believe you are a supporter of Mr. M'Cann's?—I supported him at the last election.

4987. Did you canvass with him?—I did for a short time on one day, on the Saturday previous to the nomination for a few hours.

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4988. Did you compare the result of the canvass that had been carried on by him with the register of voters?—I did.

4989. Upon the returns of the canvass what was Mr. M'Cann's majority?—Well, I should say, to the best of my opinion, if nothing but fair means were resorted to, that Mr. M'Cann would have had a majority of at least 100 or 120.

4990. Do you know at all from your knowledge of Drogheda about the number of persons who can be unduly influenced by money?—I scrutinised the list of voters along with others, and we were of opinion, that there were about 70 or 80 who could be bought over; about that number; at least we thought it better to be something over the mark, but we thought that about 70 or 80 could be bought over by the other side.

4991. You were present, I believe, at Drogheda during the whole of the election?—I was, with the exception of about two or three hours on the day of the polling, in the middle of the day; I think from about 12 till about two o'clock, or so.

4992. That was on the Friday, the day of the polling?—Yes.

4993. Do you remember the election for 1847?—I do.

4994. In your judgment, were the proceedings at the last election at all as violent as those which took place at Sir William Somerville's election?—I do not think they were.

4995. Were you present at the nomination?—I was.

4996. And have you been present at other nominations for municipal elections, and so forth?—No, I have not.

4997. Were you at the nomination in 1847?—No.

4998. With reference to what took place apart from the nomination in Drogheda itself, what was the state of Drogheda on the Monday?—The town was perfectly quiet on Monday, as far as I could see; I was not in the town the whole of the day on Monday; there were some races near the town, and I was at the races till about six in the evening, when I returned home, and on my return home I saw Mr. St. George Smith and Mr. Moore canvassing.

4999. Did anybody on the Monday in any shape or way interfere with their canvassing?—Not that I could see.

5000. Or on the Tuesday?—Not that I could see either.

5001. After the nomination on the Wednesday was over, were you in Drogheda the remainder of the day?—I was in Drogheda the whole of the day, Wednesday.

5002. Did business go on as usual?—I saw nothing to the contrary, with the exception of some of the public streets near the Tolsey, where some people, I think, put up their shutters owing to the crowds, lest their windows should be broken.

5003. With that exception, did things go on as usual?—Yes.

5004. Were there ladies and children about the streets?—There were.

5005. Were you at all apprehensive; you said that you had gone through the register and scrutinised those who you were afraid were susceptible of corrupt influences; did you at all fear that on the other side?—I did; I dreaded it very much.

5006. And was that fear shared by Mr. M'Cann's supporters?—Yes.

5007. Was it in consequence of that, that the speeches were made, and that a little steam was got up?—The tendency of the speeches in my opinion was to warn the people against bribery.

5008. And then we hear there were some allusions to the Battle of the Boyne and things of that kind; did you hear those speeches?—I did.

5009. You could judge of the demeanour of the crowd, who were listening to them; did you see after those speeches were delivered any improper act at all?—No; I did not.

5010. Do you remember their being exhorted by one of the speakers to go home peaceably, and he said any injury done by them would be putting them into the hands of their enemies?—I do; I recollect that language being made use of; I recollect distinctly that being said.

5011. That was at this meeting, when they spoke from the balcony?—Yes.

5012. Did the people quietly disperse?—They might have remained in the street some time afterwards talking; but nothing occurred that I could see, with the exception of the evening of the day of the nomination; I saw some boys; there was a crowd opposite Mr. Jordan's place in West-street, and I saw some

boys

boys come out from among the crowd and throw stones up at his windows, and then run in among the crowd again; that was all that I saw.

5013. Had there been previous to the election, any excitement upon religious matters, on both sides?—There had been a good deal for some years past in the town; since the year 1853 or 1854.

5014. And it had been continued on up to the time of the election?—Yes, but not to such a great extent as it had been at that particular period, but still the feeling had been kept up more or less.

Cross-examined by Mr. *Slade*.

5015. The religious disputes had comparatively calmed down at the time of this election, had they not?—To some extent they had; if you will please to bear in mind, notwithstanding all this, there was still cause for a great deal; the walls of the town were every week placarded with placards offensive to a certain religious class in the town even up the day of the election, and are so still.

5016. Do you not know that several of the Roman-catholic inhabitants supported Mr. Moore?—No, I do not; I know that a few Roman-catholic inhabitants supported him, but they were only a few.

5017. I said several?—Not several.

5018. What do you mean by several, more than one; are there more than one?—There are; I say a few; I dare say some Catholics could be got to vote for him by being bribed.

5019. Do you think Mr. Jordan is a gentleman of that character?—No, no such thing; but I think he could get a very few Roman-catholics to vote for him without bribery.

5020. That is your opinion of the voters of Drogheda?—It is.

5021. Surely you do not mean to say that Mr. Hammond is open to a bribe?—I would say no such thing; I say again that there are a few Roman-catholics who would vote for him; and when I say a few, I mean six or seven, or eight, or nine, or ten, but beyond that number I do not think many would be got, unless they were bribed.

5022. That is very complimentary to Drogheda, that they would go over for money and vote for Mr. M'Cann, the great mass of the people?—I do not say that the great mass of the people would.

5023. But except nine or ten, no Roman-catholic is found in Drogheda who would vote for Mr. Moore, except for money; that is what I understand you to say?—Except for money or interest, I do not think there are.

5024. With the exception of nine or ten, no Roman-catholic would vote against Mr. M'Cann unless he was bribed, is that what you mean?—It is.

5025. Where were you on the Tuesday evening?—On the Tuesday evening?

5026. Yes?—I am not quite sure whether I was at Cappoch's hotel on the Tuesday evening; I did intend to have gone down to it. I had some business to do at home, and I did that business, and I cannot distinctly recollect now; but my impression is, after doing what I had to do, I did go down.

5027. To the "White Horse?"—Yes, that is my impression; I am not distinct upon the point.

5028. Did you hear any speaking from the balcony that night from the "White Horse?"—I will tell you again, I am not quite certain whether I went down on that night or not.

5029. Then you cannot speak to anything that was said that night?—No, I cannot.

5030. Were you there on the Monday night?—I was.

5031. Was there any speaking to the crowd then from the balcony?—There was.

5032. Were the priests there?—They were.

5033. Was Father Hanratty there?—Yes.

5034. Was Father Montague there?—Yes.

5035. Was Father Machan there?—I am not sure whether Father Machan was there or not.

5036. Was Father Powderly there?—I am not sure as to those two; I think either one or other of them was there.

5037. Father Hanratty was there?—Yes.

5038. And Father Montague?—Yes, I think so.

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5039. Did you hear Father Hanratty address the people?—I did.

5040. Did you hear him say they were bound to vote for their priests, their religion, and their country?—I am not sure whether I heard him make use of that expression, or not, but I think it very probable he did; he may have done so.

5041. Did you hear him say that any one who voted for M'Cann voted for their religion, and their priests, and God Almighty; and that anybody who voted against M'Cann, would vote for the bloody Orange faction?—I do not think he ever made use of any such expression as bloody Orange faction.

5042. *Committee.*] In your hearing?—I do not think he did; I will not swear it positively.

5043. Mr. *Slade.*] Will you swear that he did not?—I will not; but my opinion is that he did not.

5044. Will you swear that he did not?—I will not.

5045. Did you hear him say that those who voted for M'Cann voted for their religion, their priests and country, and God Almighty?—That is the question you have asked me already.

5346. Did you hear him say the other part, without the words "bloody Orange faction?—May I have the question read, if you please?

The following portion of the question was read to the witness,—"Did you hear him say that any one who voted for M'Cann voted for their religion, their priests, and God Almighty?"

The *Witness.*] He may have said they voted for their priests and their religion, but I do not think he made use of God Almighty's name.

5047. Will you swear he did not?—I will not; but I do not think he did.

5048. Did you hear him say, all who voted for M'Cann voted for God, and all who voted against him voted for the devil?—I did not hear him say that.

5049. Will you swear he did not say it?—I will swear he did not say it in my hearing.

5050. And nothing to that effect?—Nothing to that effect.

5051. Did he make a long speech?—No; I should say about 10 minutes or a quarter of an hour.

5052. Who spoke first of the priests?—I think it was Father Montague who spoke first, as far as I recollect.

5053. Can you recollect anything Father Montague said?—He just spoke of the election, and just the usual things that are spoken at elections; the usual election topics.

5054. Did he tell the mob that if they voted for M'Cann they voted for their religion and their priests?—He may have done so.

5055. Did he? He may have talked about whiskey; did he tell them that?—I do not know whether he did or not.

5056. Will you swear he did not?—No, I will not.

5057. Will you swear he did not in your hearing?—I tell you again, I do not know whether he did or did not.

5058. Will you swear he did not in your hearing?—When I say I do not know I cannot swear.

5059. Do you mean to represent that Father Montague made use of no expressions save those of the usual electioneering topics?—The usual electioneering topics; yes; I do mean to say so.

5060. Do you mean, sir, after kissing that book, to represent to this Committee that Father Montague did not urge upon the people to vote for their priests?—I think he did.

5061. Just this moment you said the reverse?—No; it was "God Almighty" I said he did not say. I will just admit this much to you; that they may have made use of the expressions, that they voted for the country, their religion, and their priests, in voting for M'Cann.

5062. Did they not?—I think it very probable that they did; but I do not recollect distinctly whether they did or did not.

5063. You have just now said to me that you thought they did urge upon them to vote for their priests, and now you say they might have said so; which do you mean?—I say that I think they did say so.

5064. What

5064. What leads you to think that?—From the nature of the speeches that were made.

5065. From what you heard?—Yes.

5066. From what you heard?—From the nature of the speeches that were made.

5067. Did you not hear Father Montague urge upon them to vote for their religion, their country, and their priests?—I cannot distinctly say whether I did or did not hear Father Montague make use of such an expression.

5068. You heard Father Hanratty say so?—I did not say positively that I heard him say so.

5069. Was Mr. M'Cann there?—On the Monday night?

5070. Yes?—I am not sure; I do not think he was at Cappoch's Hotel on the Monday night; I am not sure.

5071. Not sure?—I do not think he was; not up stairs where the rest of the people were.

5072. Did you see him at all, at the "White Horse" that night?—I am not sure.

5073. You are not sure?—No; I saw him at his tally-room in Shop-street, and I heard him say he would have to go and get something to eat; but where he went to get it, whether to Cappoch's Hotel or where else, I do not know.

5074. Will you swear you did not see him at the "White Horse" that night?—I will not.

5075. You were not there on the Tuesday?—I did not say I was not.

5076. I understood you to say so?—No.

5077. Were you there on the Tuesday night?—I have answered that question already.

5078. Were you there on the Tuesday night; answer it again?—I told you I had some business to do on Tuesday evening, and I did that business; and whether I went after doing that or not, I cannot say, but I was there on the Monday.

5079. Do you mean the Committee to be content with those answers, "I am not sure," and "I cannot say?"—I cannot say whether I was there on the Tuesday evening or not.

5080. If you cannot say whether you were there or not, you cannot give us any account of what speeches were made?—No.

5081. Did you hear any speeches made on the Tuesday?—I cannot say.

5082. Did you on the Wednesday?—I did.

5083. Were they of the same character as those on the Monday?—I think they were of the same character.

5084. By the priests?—I do not think that the priests spoke much on the Tuesday evening; I heard Mr. M'Cann, one of the sons, speaking,

5085. Were the priests there?—Yes, I think they were.

5086. Will you swear you did not hear the priests speak on the Wednesday, from that balcony?—No, I will not swear it.

5087. Were they all four there on the Wednesday?—I cannot say whether all four were there.

5088. Was Father Hanratty there?—I think he was; I am not quite sure; some of them were in it, but I cannot say which.

5089. Do you mean to represent that you cannot tell the Committee which of those priests were there on the Wednesday?—I think Father Machen and Father Montague were there; but whether Father Hanratty or Father Powderly were there, I cannot say; I am almost sure the other two were in it; Father Machen and Father Montague.

5090. Did Father Machen and Father Montague address the people that night?—Yes; I think Father Machen did; I think he did; or Father Montague I mean; I think Father Montague did.

5091. Did Father Montague address them in a similar strain to that in which they had been addressed by Father Hanratty on the Monday night?—I think it was.

5092. Was Mr. M'Cann present?—I cannot say whether he was or not.

5093. Just now you said he was with his son?—No, I said his son was there.

5094. Was Mr. M'Cann there?—I cannot say.

5095. Will you swear he was not?—I will not.

5096. Did you ever see Mr. M'Cann in that room?—I saw him in that room on the

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the morning of the nomination, and went down along with him to the court-house.

5097. Did you ever see him on the balcony?—I cannot say.

5098. You cannot say?—No, I do not think Mr. M'Cann was ever there; when Mr. Moore resigned, I think he did address the people in the evening.

5099. Are you one of the grand jury who left the room; one of the eleven who would not vote for the presentments?—I was one of those who left the room, but the reason why I left the room was because the foreman refused to put a motion, which was proposed and seconded by one of the grand jury.

5100. Did you hear on either of these evenings, the Monday or the Wednesday, any allusion to Miss Kitty?—Oh, yes; I heard that said several times.

5101. Did you hear it said by the priests?—I do not recollect.

5102. Will you swear you did not?—I will swear I do not recollect it.

5103. You heard it said; who did you hear it said by?—Oh, I heard the name called out several times in the Court-house.

5104. I am not speaking of the Court-house, and you know it very well; in the evenings, on the Monday or the Wednesday, from the "White Horse" balcony, did you hear the name of Miss Kitty?—I heard it said so often that I cannot exactly tell when.

5105. Will you swear you did not hear an allusion to Miss Kitty from the balcony?—I tell you I heard the name mentioned so often, that I cannot recollect exactly any one particular occasion.

5106. I am not asking you that. Did you hear the name Miss Kitty from the balcony?—I do not recollect whether I did or did not.

5107. And the way to his house pointed out?—No, I do not recollect hearing any such thing.

5108. Will you swear that no such thing occurred?—I say I do not recollect it.

5109. With regard to the registry, I am told you have stated there was a majority, in your opinion, on the Saturday of a hundred in favour of Mr. M'Cann?—No, not on the Saturday; it was on Monday night that I scrutinised the list of voters.

5110. Who do you go over it with?—I think there were four, or five, or six, along with myself.

5111. I ask you who, not the number; who did you go over it with?—You wish me to mention the names, do you?

5112. Unquestionably?—Mr. Casey was one, and Mr. James Levans was another. Mr. M'Cann himself was also there; and I think—yes, Mr. M'Cann's son, Mr. Thomas M'Cann; and a man of the name of Mr. Elcock; and I think a man of the name of Mr. Lynagh.

5113. Is that the public-house keeper?—Yes.

5114. He was there with Mr. M'Cann, going over the state of the register on the Monday evening?—Yes, I think he was.

5115. Do not let us mistake; where was it?—It was at Mr. McCann's tally-room.

5116. In which tally-room; in Shop-street?—Yes, in Shop-street.

5117. Do you know a man named Pat Long?—I do

5118. Was he there?—I think not.

5119. Be careful; give us more than thought?—I am almost sure he was not.

5120. Will you swear Pat Long was not there when you went over the revision of the canvass-book on the Monday night?—I will swear that he was not there.

5121. Have you given us all the names of those who were there?—As far as I can recollect I have.

5122. Was Conolly there?—Conolly?

5123. Yes?—No.

5124. Are you certain?—Oh, I am certain.

5125. Was Mr. Carty there?—No.

Re-examined by Mr. *Power*.

5126. Do you remember any particular expression which made such an impression on your mind as to lead you to remember it?—No, I do not.

5127. Were

5127. Were they the ordinary topics of electioneering speeches addressed to Roman Catholics?—Just so. Mr. *P. Ternan* Jun.

5128. You say, at the time these speeches were made, there was a belief entertained on your part that corruption would be used on the other side?—There was. 5 August 1857.

5129. And did these Roman Catholics remind the people of their religion, and their principles, and so forth?—They did.

5130. My friend has asked you about the number of voters who supported Captain Moore. There is Mr. Hammond (we have had his name), Mr. Jordan, Mr. Verdon, and Captain Heeney. Beyond those four, do you know any persons in a position like those gentlemen who were supporters of Captain Moore, and who were Roman Catholics?—No, I do not, in their position.

5131. And with reference to some Roman Catholics, you say they were amenable to improper influences?—Yes.

5132. Among the Roman Catholics are there several poor and needy voters?—There are.

[The Witness withdrew.

Mr. *Thomas Carty* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

5133. ARE you in any business?—Yes; I am in business as a merchant. Mr. *T. Carty.*

5134. How long have you resided in Drogheda?—My whole life; I was born there.

5135. Have you served the office of high sheriff of the town?—I have.

5136. And you are the present mayor?—Yes.

5137. How often have you served the office of mayor before?—This is the third year; I have served it twice before.

5138. *Committee.*] Is it three years consecutively?—No; I was first to serve the office of mayor under the Municipal Act, when it came into operation in 1842; and I served it last year, and I am now serving it this year.

5139. Mr. *Phinn.*] I believe you are a magistrate of the town, independently of being the mayor?—Yes; and of the county adjoining.

5140. The county Meath?—The county Louth.

5141. I believe you were a supporter of Mr. M'Cann on the last occasion?—I was.

5142. I see your name is the first in the list of those 140 names that was published in the paper?—Yes.

5143. Did you sign first?—I am not sure how I signed; when the document was brought to me I signed it, and, as usual, when a document is brought I should put my name first.

5144. Did you draw the heading to the paper?—No.

5145. Did those 140 gentlemen ever meet as a committee to conduct the election of Mr. M'Cann?—Never.

5146. In fact, I believe at the time that that was signed there was no prospect of any serious contest?—No; I thought there would not be a contest. I think they signed it more as the friends of Mr. M'Cann, and as a pledge to vote for him, than as a committee.

5147. At that time Captain Moore was not in the field?—No, nor even heard of.

5148. Mr. Brodigan, I believe, had been heard of?—Yes.

5149. Were you present on the Monday evening when these speeches were delivered from the hotel?—No; I was not.

5150. Were you present on the Tuesday evening?—Do you mean being on the balcony?

5151. Yes.—I went on two or three occasions to the room inside, but I never appeared on the balcony when those speeches were made.

5152. Did you hear the speeches delivered by Father Hanratty and Father Montague?—No; I could not hear them in the room; a person in the street could hear them, but not a person in the room. There were two windows in the room or three, and I could not possibly hear them.

5153. Do you remember any application being made to you with reference to the court-house; with reference to the arrangement at the court-house?—I do; by the sheriff.

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5154. When was that application made to you?—I have the letter here from the sheriff, and my answer; in fact, I have two letters from him.

5155. Will you read them, if you please?—The first is dated "Drogheda, March 28th 1857, eight o'clock, p.m. Sir,—I have received a written application from Captain Corry, sub-inspector of police, requesting me to grant him the use of the Tholsel as a means of shelter for his men, who are now obliged to be constantly on patrol. May I request you will order it to be opened for that purpose? I am, Sir, your obedient servant, *Peter Verdon*, High Sheriff." I replied to that letter, "Drogheda, 29th March, 1857, Sunday morning. Sir,—In reply to your note left at my house at nine o'clock last night, as the corporation keep all their leases, accounts, &c., in the Tholsel, I could not give directions to keep it open at night later than usual. There are two police barracks, one at each side of the town, within five minutes' walk of any part of the borough, and the watch-house in Peter-street is kept open all night. I am, Sir, your obedient servant, *Thomas Carty*." Now, it might be necessary to explain that this watch-house that I speak of is exactly opposite the committee-room of Mr. Moore, and within three or four doors of Mr. Brodigan's, and that is always kept open for the police or other persons that might have business.

5156. How many is it capable of accommodating?—The watch-house?

5157. Yes.—I may say that thiry or forty might find room in it, in the passage and in the place.

5158. On a pinch, I suppose it could accommodate men kept in readiness for action to the number of thirty or fifty?—Yes; and Drogheda is a small town where there are two police barracks, and they could go from the police barracks to any part of the town in five minutes. Then I had a second note, which is dated "Drogheda, April 1st, 1857. Sir,—The stipendiary magistrate, Captain Derinzy, has applied to me for the use of the court-house (the lower part) for the police or any infantry that may be required during this evening and night. May I therefore request you will order it to be opened for that purpose with as little delay as possible? I am, Sir, your obedient servant, *Peter Verdon*, High Sheriff."

5159. May I ask what time on the 1st of April Mr. Verdon's letter reached you?—The hour is not mentioned, nor have I it in my memory, but I think it was about five or six o'clock in the evening of the 1st of April. I replied to that: "Drogheda, 1st April 1857. Sir,—I just received your note, and refer you to mine of the 29th ultimo, from which I will not deviate. If you inquire from Mr. M'Cartney" (he was the chief constable of the corporation), "you will find the Tholsel was not left open at night during contested elections, or for any other purpose, for the last thirty years. I am, &c., *Thomas Carty*."

5160. Was any application made to you with reference to making arrangements for the nomination?—How do you mean; by the opposite party?

5161. Letting people in, and making arrangements for their accommodation?—No; but I heard of it about ten minutes before the hour of nomination.

5162. Was any proposal made to you to admit people; to give 100 tickets?—Not to me; none whatever. Perhaps it is right that I should explain now that the court-house is the property of the corporation; it is not like county court-houses, but the sheriff has the power over it. The mayor for the time being has full power over the court-house.

5163. There has been some little jealousy about the court-house, has there not?—Never before that election.

5164. *Committee.*] What did you hear ten minutes before the nomination?—I heard there was a proposal to admit the friends of both parties by tickets. There was no application made to me; I only heard so.

5165. Mr. *Phinn.*] Did you retain the key till the nomination?—No; the court-keeper had the key, but I gave the court-keeper orders not to open the court-house till ten o'clock. I said that I would appear at the proper time, and call upon him to open it, which I did.

5166. What time did you go there on the nomination day?—I think five minutes before ten.

5167. Did you go in by the access that is open to the public, or did you get in some other way?—There is only one entrance to it.

5168. Then you went through the crowd?—Yes; and I found great difficulty in getting in. The police kept against me, and were keeping me and Mr. M'Cann's friends as far back as they could.

5169. Did you at last get through?—Yes; and I called to the court-house keeper, and he immediately opened the door; he was inside.

5170. How

5170. How many persons were admitted at first, did you observe?—It is impossible for me to say. I was so shoved about that I found great difficulty in getting a place up to the bench.

5171. Did you at last secure a place on the bench?—I did; I was asked outside by some of the friends of Mr. Moore. Mr. St. George Smith and Mr. Mayne, I think, asked which side of the court-house they would take, and which side we would take; and I think Mr. Mayne or Mr. Smith proposed that we should have the right hand side, and the others the left; and some of Mr. M'Cann's people said we had better go to the right, and the others to the left, and we did so.

5172. Did the platform become occupied with the friends of the candidates?—Yes.

5173. And there was some interval before the crowd generally were admitted?—Yes, some time.

5174. Do you know how long that interval was?—It might be from five to ten minutes; they were kept out by the police.

5175. Do you recollect while they were kept out, whether there were cries of dissatisfaction from the crowd outside?—Yes; they cried out several times to the high sheriff to let the people in.

5176. Did the exclusion seem to excite the people outside?—Very much.

5177. Had that system of allowing a certain number to come in, and then excluding the people for so long as five or ten minutes, ever been observed before?—I never recollect it, though I recollect a great many contested elections for 30 years and upwards.

5178. The people were admitted then, I believe?—Yes, they were.

5179. After the people were admitted the business proceeded?—Yes; the high sheriff read the writ.

5180. We have heard that Mr. M'Cann was tolerably heard, but that the opposing candidates were not; is that so?—I proposed Mr. M'Cann, and you would suppose that I was the first that would be heard. I was interrupted several times by the friends of Mr. Moore and Mr. Brodigan; they commenced the interruption; and I can mention some names, if you think it necessary.

5181. I should like you to do so very much?—There was Mr. Rowlands.

5182. Is that the attorney?—Yes; he interrupted me; and a Mr. Harris.

5183. Is that the publican?—Yes.

5184. Anybody else?—Several others interrupted me. Although I only took ten minutes, I suppose, to propose Mr. M'Cann, I was interrupted several times.

5185. Do you know a man named Cuney?—I do; he interrupted me.

5186. He is the proposer of Mr. Brodigan?—Yes.

5187. I believe it was tolerably apparent who was the popular candidate at that time?—Yes.

5188. You addressed the people, you tell us?—Yes, in proposing Mr. M'Cann, merely telling them his superior claims to the others who were to come forward; I did not make use of any language that even the other party can find fault with.

5189. Did the interruptions to your speech seem to exasperate the crowd?—No; except those that were on their side.

5190. Then you proposed Mr. M'Cann, he was seconded, and who was proposed next?—Mr. Moore, by Mr. St. George Smith, and seconded by Mr. Jordan; perhaps it is right that I should tell you that as soon as I proposed Mr. M'Cann I retired from the bench, and that part of the court-house. I was so annoyed at the interruptions I got, that I went to an apartment under the grand jury box, so that I was not present when Mr. Moore was proposed.

5191. Contrasting the appearance of the court-house and the conduct of the people while you were there, with what you observed at previous elections, should you say it was more or less violent than usual?—I think is was less violent than I have seen contested elections there.

5192. We will take Sir William Somerville's election?—Yes.

5193. Was that violent?—Yes, and I ought to know something of it, for I seconded his nomination.

5194. Then you were on the unpopular side?—Yes.

5195. Did you get a fair hearing then?—I was better heard than on this occasion.

5196. It is imputed to you that you kept the key of the court-house for some sinister

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sinister purpose, to serve your party?—The court-house keeper keeps the key, and I gave him directions to keep it closed till the hour of nomination.

5197. Was that for the purpose of serving Mr. M'Cann, or did you mean to do justice to all parties?—Certainly it was not for the purpose of serving Mr M'Cann.

5198. Up to the day of nomination were you in communication with Mr. Derinzy?—Yes, I was.

5199. When did you first see Mr. Derinzy?—Do you mean with reference to the election?

5200. Yes.—I think I saw him the beginning of that week.

5201. On the Monday?—I am not sure, I could not name the day exactly; it might have been on the Monday; but when I saw him I saw he had instructions from the Under Secretary to have the police and military under his control; he showed me a letter to him.

5202. Is it the custom when a stipendiary magistrate comes down, and when he is sent specially by the Government for the purpose of an election, for him to supersede the local magistrates in making arrangements?—I was not aware of that, though I was a magistrate for 23 years; and I can say that the local magistrates were greatly displeased at the instructions given by the sub-inspector, Captain Cory, in my hearing, not to take any instructions from any magistrate except Captain Derinzy and the high sheriff; that was on that day, after the nomination, about 12 o'clock.

5203. At that time had you seen the instructions given by the Under Secretary to Mr. Derinzy?—I think I had; but he did not show me those instructions at all with the object of preventing me or other magistrates from interfering; it was merely in compliment to me.

5204. Were you in friendly communication with Mr. Derinzy?—Yes.

5205. Throughout the election?—Yes, and before and since; I never had any difference with Mr. Derinzy.

5206. Do you remember any application being made to you for assistance on the Tuesday night to protect the committee-rooms of Captain Moore?—Yes, from Mr. Mayne.

5207. Is that the attorney?—Yes.

5208. What time did that reach you?—It reached me at a late hour at night; I suppose about eight or nine o'clock.

5209. What did you do upon that?—It was so late then that I thought it unnecessary; for I think before Mr. Mayne wrote to me, he knew from sub-inspector Cory that the police would not obey my instructions, because they had instructions not to do so; and I told Mr. Mayne so the next morning in the court-house.

5210. Did you mention it to him?—It is on my mind that I did; and he put it off, and said something complimentary to me rather at the time.

5211. Now, Mr. Cory, had you seen him on the subject?—Perhaps before you go to that matter of Mr. Cory, I may be allowed to state that that was told in my hearing at the mayor's office door, at my door at the Tolsey, in the hearing of the corporate offices, in the hearing of the public, and in the hearing of the chief constable of the police belonging to the corporation; and it was done, according to my impression, more to insult me than for any other purpose.

5212. By Mr. Cory?—Yes; because if he wished to give instructions to his head constable or the police, he might have done so out of my hearing, and they would be sure to follow them; here is a document signed by the chief constable of the corporation, who is since dead (*producing a paper*); this is written by him; it is to the same purport.

3213. Previous to the election had there been some differences with Mr. Cory?—Yes; between Mr. Cory and myself.

3214. And had you made representations as to his conduct to his superiors?—I think not previous to the election.

5215. Had you threatened to do so?—Yes.

5216. Did you see him on the Monday and Tuesday of the election; and did he communicate with you on the subject of the peace of the town?—No; he was just before me; when I was trying to find my way into the court-house he was one of those who tried to prevent it, instead of making way.

5217. Did you see him on the Monday and Tuesday?—I must have seen him every day, for I was not out of the town.

5218. Were

5218. Were you in communication with him?—No; we do not speak.

5219. Had it happened before the election that you do not speak?—I think it did.

5220. You say you had had grounds of complaint of his conduct; was it merely as to his intercourse with you, or his general conduct in the town?—His intercourse with me; I am not fond of interfering with anything that does not immediately come before me.

5221. On the Wednesday after the nomination were you out in the town?—Yes.

5222. We have heard that the town was very much excited, and that there were large crowds, and that they were very violent?—There were a great number in the town.

5223. Did you see any great violence?—I did not; and I was through the town constantly.

5224. Did you see any persons injured or attacked?—Not more than what occurs at any large meeting.

5225. Unpopular people are groaned at sometimes, I suppose?—Very often.

5226. We are told that on the Wednesday evening Captain Moore's advisers came to the resolution to recommend him to retire; in your judgment was there any apprehension that his voters could not be brought up to the poll?—None whatever.

5227. Were you aware that there was a company of infantry, and a squadron of cavalry, and a large body of armed police in the town?—Yes; I saw them in the street.

5228. In your judgment were they adequate to protect the peace of the town?—I think so; I think the police force would have been quite sufficient without any other.

5229. Who was the officer commanding the infantry?—I do not know.

5230. The infantry had been quartered there some time before, had they not?—No; they were merely sent there.

5231. When did they arrive?—I do not know.

5232. Were they called out at all?—I saw them in the streets occasionally; some of the dragoons.

5233. Did any one attempt to exhibit any information to you touching the state of the town?—No, not one; I attended every morning in the Tolsey Office, at 10 o'clock, during, and before, and after the election; that is my habit.

5234. No one came to tender you any information?—No.

5235. Had you been asked for protection on any occasion by anybody except on the occasion you have mentioned?—Except by Mr. Mayne; and I have no hesitation in saying that he must have known I had no control over the police when he wrote me that note; for Captain Cory, I heard, was constantly backwards and forwards at Captain Moore's tally-room.

5236. Have you seen him very active out of the room with their witnesses?—Indeed I did.

5237. And it was perfectly clear which side he was taking at the election?—There is no mistake about it at all.

5238. Has his conduct been the subject of a complaint which was sent to the Castle?—It has.

5239. Is he removed?—No; but the town clerk of the corporation got a reply, stating that he had applied for leave to exchange or to remove, and that the Lord Lieutenant had consented to it; that is the answer.

5240. Comparing the state of the town at this election with the state of it at the previous elections, was there more or less violence, as far as you could observe?—I think there was far less violence than there was at the contested election of Sir William Somerville, in 1847.

5241. Is it within your knowledge that at that election Sir William Somerville's voters and himself were obliged to be escorted by armed men?—Yes; I saw them so.

5242. You know something of the state of the constituency, I think?—Yes; I have often looked over the names.

5243. Did you on this occasion look over the register with a view of ascertaining Mr. M'Cann's prospects of success?—The very fact of that long document being signed by so many persons, pledging themselves to vote for Mr. M'Cann (for that is meaning of it), left no doubt of his success, unless some persons would

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come and resort to illegal and unfair means; unless, in fact, they would purchase votes.

5244. From your knowledge of the constituency, do you think that a gentleman of Captain Moore's principles could succeed without bribery?—No possible chance of it; not against Mr. M'Cann.

5245. In estimating the legal expenses of an election, should you think that 1,200*l.* or 1,500*l.* could be fairly or legally spent in Drogheda?—I think they could not exceed 400*l.*, except for illegal expenses.

5246. My friend Mr. Hodges suggested to one of his witnesses that there were a great number of out-voters; as you went through the constituency, were there a great number?—Very few; and you must bear in mind that nobody can vote who does not reside within seven miles of the town.

5247. Were there many voters whose avocations called them a long way from Drogheda, and who were absent on that occasion, do you recollect?—I think not.

5248. There is, of course, a circle of seven miles round the town within which voters must reside?—Yes; but they might be absent, and come home and vote if their residence was there.

5249. Would a hundred or a couple of hundred pounds be required for the purpose of bringing absent voters up?—I do not think it would take more than 100*l.* extra for persons absent.

5250. My friend asked whether it was not a serious matter when Mr. Hammond, Mr. Verdon, and Mr. Jordan went over to the other side?—The people of the town were generally exasperated and annoyed at it.

5251. And do you think that their popularity and influence in Drogheda was sufficient to procure for Captain Moore any large number of votes?—I think they have very little influence in Drogheda, and they never had.

5252. Mr. Verdon?—He never was popular; he never was a man of influence in Drogheda.

5253. Or Mr. Jordan?—Nor Mr. Jordan, who is here.

5254. Mr. Hammond?—Nor Mr. Hammond; his influence was less than that of any of the other men; he lived a great deal out of the neighbourhood.

5255. Have Mr. Jordan and Mr. Verdon been successful in their attempts at municipal honours?—I recollect that Mr. Verdon attempted three times to be elected to the office of mayor before he succeeded.

5256. Mr. Jordan?—He is not in the corporation.

5257. Was he a member of the old corporation?—No; and he was a candidate in the new corporation, and was rejected.

5258. Mr. Hammond, you say, is a gentleman who does not reside much in the neighbourhood?—No; he was for some years a good deal out of the neighbourhood.

5259. The commerce and wealth of the town, on which side are they found?—I should think they are more on Mr. M'Cann's side, with the exception of Messrs. Smith & Smith.

Cross-examined by Mr. *Slade.*

5260. According to your account, nobody on the side of Mr. Moore is of any importance in the town of Drogheda?—I did not say that.

5261. Are you a popular man there?—I believe I am very popular; I think it is a proof of it that I was twice elected to the office of mayor without any opposition, and without soliciting a single member of the corporation to vote for me; I was unanimously elected twice to the office; and on one occasion I was brought forward quite against my will, to oppose a Dr. Atkinson, who appears very much in your proceedings here; and it is in consequence of my having been brought forward and opposing him, I think, that you have had this petition got up.

5262. Is the mayor the chief magistrate of Drogheda?—Yes, under the Municipal Act.

5263. He takes precedence of all other magistrates?—Yes, under that Act.

5264. Is he responsible for the peace of the town, as chief magistrate?—It would be a great hardship to make him responsible, if a sub-inspector is to be allowed to tell the police not to obey his directions.

5265. *Committee.*] Is the mayor legally responsible for the good order of the town?—I should think I am looked to in a great measure; and for that purpose I attend every day in the Tholsel at ten o'clock.

5266. Mr. *Slade.*] Do you think it consistent with your duty, as chief magistrate,

trate, to take the active part you did in this election, and to propose one of the candidates in the Tolsey?—I do not think there was anything wrong in it; if I thought there was, I would not have proposed him; and I may mention that it was only half an hour before I went to the Tolsey that I was asked to propose him, and I wished to decline it, for I am not fond of putting myself in any prominent position.

5267. Were you chairman of Mr. M'Cann's committee?—I was named his chairman.

5268. Perhaps you will be kind enough to answer my question; were you chairman of Mr. M'Cann's committee?—How can I answer it in any other way.

5269. Did you act as chairman of his committee?—I think I did, on one occasion only.

5270. You acted as chairman of his committee?—I think on one occasion, when I happened to be in the committee-room, and when there was some matter under discussion; I think that was the only occasion.

5271. Did you publish the advertisement in the paper to which you signed your name?—Me? I did not publish anything.

5272. Have the kindness to take that in your hand (*handing a newspaper to the Witness*). Was that advertisement put in, either by the authority of yourself or of the committee?—I signed the document, or they would not attempt to publish it; but I never sent it to the publisher.

5273. Did you sign the manuscript, of which that professes to be a printed copy?—I think I did; I did not keep a copy.

5274. Have you any doubt that you signed it?—I have very little doubt, as my name is to it.

5275. Have you any doubt?—I can give you no other answer than that I think I did sign it; I have very little doubt that I signed it.

5276. You have no doubt, have you?—No doubt; if you would show me the document I would tell you at once.

5277. That is the document?—No, that is not the document; that is a paper which I know nothing about; I thought it was the custom to show a man a document when you asked him whether he signed it or not.

5278. Did you sign the manuscript paper of which that professes to be a copy? I have very little doubt of it, and if you will show me the manuscript I will answer you plainer than that.

5279. Is that the only occasion on which you acted as Mr. M'Cann's chairman?—I think it is; for, besides my public duties, I have a good deal of other matters to attend to as a merchant.

5280. Did you consider it consistent with your station, as chief magistrate of Drogheda, to accept the office of chairman of the committee of one of the candidates?—I did not see anything wrong in it; if I did I would not have done it.

5281. With regard to this Tolsey; you put in some letters in which you refused the application to have the Tolsey left open for the police?—Yes.

5281* The reason you gave in those letters was, that the muniments and documents belonging to the corporation were in the Tolsey?—Yes, and that it was never left open at any former election; that is my reason here.

5282. They were in a totally different part of the building, were they not?—In the upper part of the building.

5283. Totally distinct from the Tolsey?—Yes; but if the police are there at night—I know as well as everybody here they are in the habit of smoking—and if the Tolsey was burnt down, and the papers were burnt, though the Tolsey is insured, I should think we should not recover one penny of insurance.

5284. Was not the Tolsey left open in 1848, and for a whole week occupied by the military?—Never at night, not that I heard of; I was not filling the office of mayor then; if I was I would not have allowed it; 1847 was the time of the contested election.

5285. I am speaking of 1848?—There was no purpose for which it would be required.

5286. Was it left open in 1848?—Not that I am aware of.

5287. Did Father Hanratty second Mr. M'Cann?—He did.

5288. Did you stay long enough to hear that?—He took my place, and I retired to the under part of the court.

5289. You did not stay there?—I did not.

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5290. As I understand, you had no opportunity of seeing anything that took place in the court-house after you had made your speech?—No; when Mr. Carty proposed Mr. Hanratty had seconded Mr. M'Cann, and when the other candidates had been proposed and seconded, Mr. M'Cann was going to address the people, and I came up to hear a few words, but I was very glad to get back again.

5291. Did you see any outrages committed on Mr. Moore's supporters, or anything in the shape of outrages committed upon him?—I could not see him when I was below; I was not in the room, and I could not see; I came back when Mr. M'Cann was going to address them.

5292. Did you see any of the houses that were wrecked?—I saw some panes of glass broken, and a part of the sash broken of Mr. Jordan's window, and glass broken in other parts of the town.

5293. How many houses did you see with the glass broken?—I only saw those in my way to the court-house, and backwards and forwards; but I did not see them at night. I would have tried to keep order more, except that I was prevented on the morning after the nomination from doing so.

5294. Did you see the proofs of their having been broken?—Those only.

5295. About Captain Cory; it appears that you are not on very good terms with Captain Cory?—No.

5296. I understood you to say you had not spoken for some time?—No.

5297. You say there were complaints made to the Castle about him?—Yes.

5298. Who made those complaints?—I did, and the corporation did.

5299. What was the answer?—I mentioned the answer. I think that the purport of the application was that Mr. Cory should be removed; we did not apply for any punishment upon him, or any remark upon him, except that he should be removed.

5300. What was the answer?—The answer was that Mr. Cory himself had applied for liberty to exchange, and that the Lord Lieutenant had complied with his request.

5301. Is he gone?—No, he is not gone.

5302. You mentioned there was some complaint made by the high sheriff against you for not allowing the keys of the court; was that so?—It was in reply to that that I made the complaint. There was a query put to me by Government to know why I did not give the use of the court-house, and I sent copies of those letters I have produced to them, and gave my reason.

5303. Mr. Verdon had made complaint to the Castle with reference to your not allowing the court-house to be open on the morning of the nomination day, had he not?—I understood it was Mr. Cory who made it. I got a letter from the under secretary, Colonel Larpent, saying such a statement had been made by the sub-inspector, as I understood, and calling upon me for an explanation, which I gave.

5304. Upon that, you returned those two letters?—Yes, copies of them. I never had any intimation from Government that Mr. Verdon had written to them on the subject.

5305. What was the intimation you had?—The report sent by Captain Cory for my explanation.

5306. Have you that letter from the Castle?—Not about me; I have it at home.

5307. Is it in London?—No, it is in Drogheda; I did not think it necessary to bring it; but that is the purport of it.

5308. You are quite sure Captain Cory's name was mentioned?—I am quite sure, and in that way, that Captain Cory had himself applied for liberty to exchange or remove, I forget which, and that the Lord Lieutenant had complied with his request, and given him leave.

5309. You state that there was no contest apprehended when that committee appointed themselves, and had signed their names?—At that time I did not suppose there was any other candidate but Mr. Brodigan.

5310. And you did not consider him a very formidable candidate?—I think he had just as much chance of being returned for Drogheda as he has for London.

5311. And, according to your account, Mr. Moore's chance was about the same?—Just the same against M'Cann, without bribing.

5312. Did

5312. Did you hear any of the speeches delivered from the balcony of the White Horse?—Not one,

5313. Did you go over any list; you say the state of the registry was such as to make you quite certain of Mr. M'Cann's success; did you go over any canvass book?—I assisted Mr. M'Cann in canvassing.

5314. You did that also?—Yes, I did that also; now I am telling you a little more than you expected.

5315. Had you a canvass book?—No, I had not; but I am as well known to the electors as Mr. M'Cann himself.

5316. Did you go over any canvass book where the promises were entered?—No, I did not.

5317. Not for the purpose of ascertaining what chance of success Mr. M'Cann had?—I did not.

5318. Then the conclusion you drew of his certain success was simply from the knowledge you had of the constituency?—Yes.

5319. Was no fact laid before you from which to draw an inference?—No; I left that to his immediate committee, with which I did not interfere.

5320. Was Mr. M'Cann accompanied in his canvass by anybody but you?—Yes; he was by, I think, one or two more of the electors.

5321. Who were they?—Heeney was one, and Mr. Whearty.

5322. Is that Richard Whearty?—Yes; Mr. Heeney was a short time, and Mr. Whearty a short time. I did not accompany Mr. M'Cann to all the electors, only to a portion of them.

5323. Did you canvass with him on the Saturday and the Monday?—I only went one day, but I forget the day, in the neighbourhood I live in.

5324. Was Whearty with him that day?—I am not sure; he was a short time; he might go to one, or two, or three electors in his neighbourhood, and not continue with him, for I do not think it was exactly necessary that he should.

5325. Who accompanied Mr. M'Cann in his canvass with you; you give me the names of two gentlemen, and you say Mr. Whearty was one of them?—Yes, for a short time.

5326. Did he accompany you with Mr. M'Cann on his canvass?—I think he did for a short time; a very short time.

5327. Is his name Richard Whearty?—Yes; there was Mr. Boylan accompanied me at that time with Mr. M'Cann also.

5328. You say there are very few who are living away from Drogheda; I will just ask you as to the Rev. Mr. Addams; does he live away from Drogheda?—He lives at Coghlan, only I think about six miles from Drogheda.

5329. He is put down at Coghlan Rectory House, Dublin?—Then he cannot be the same; there is a Mr. Adams at Coghlan, I know; Mr. Mayne will be able to say whether that is the same.

5330. You have said there are very few?—That I know of.

5331. I am going to show you that there are upwards of 50. There is Mr. Robert Samuel Baxton; does he live in England?—I do not know.

5332. He is here described as of Royston, in England?—But the expense is very little of bringing them over now.

5333. William Thomas Briscoe, Richmond Lodge, county of Dublin?—I think you would find that 100 *l.* would cover the expenses of all of them. I do not think the out-voters would cost more than 100 *l.*

Re-examined by Mr. *Power.*

5334. My friend has asked you whether you think it consistent with your office to propose Mr. M'Cann, and also to be on his committee. Drogheda being a county as well as a borough, who returns the candidates; who signs the precept?—The sheriff; in some boroughs where there is not a sheriff, the mayor would be the returning-officer. If I had been the returning-officer, I would not have proposed Mr. M'Cann.

Examined by the *Committee.*

5335. Do you feel certain that you gave Mr. Mayne verbally as a reason for not complying with his request for police, that Captain Cory had given instructions to his men to look to Mr. Derinzy for orders alone?—I think what I said

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to Mr. Mayne the next day, when he came into court to have some deputies sworn was this. I said, "Mr. Mayne, I got your note late last night, and did not think it necessary to reply to it, and I think you ought to know I have nothing to do with the police, that I have no control over them." Mr. Mayne said, "My dear fellow, never mind that."

5336. Because Mr. Mayne said that no conversation passed on that subject?—There did, when the deputies came to be sworn at my office; I was going to the Bench when that occurred.

[The Witness withdrew.

Thomas Derinzy, Esq., was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

T. Derinzy, Esq.

5337. ARE you a stipendiary magistrate?—Yes.

5338. Where are you stationed, generally?—At Trim, in the county Meath.

5339. Is Drogheda within your district usually?—Yes.

5340. Are you stationed there ever, except on exceptional occasions; are you in the habit of going there?—To attend petty sessions, or whenever I should happen to be ordered there.

5341. Have you any connexion, local or political, with Drogheda?—None.

5342. Did you receive instructions from Sir Thomas Larcom to go to Drogheda on the occasion of the last election?—Yes.

5343. When did you receive your instructions?—I think on the 26th of March.

5344. Did you immediately go to Drogheda?—Not immediately, for the election was not to commence till the 1st; I was desired to be there on the 1st.

5345. What day did you arrive at Drogheda?—I arrived in Drogheda on Monday, in order to attend the petty sessions.

5346. When were the petty sessions held?—The petty sessions were held on the 30th.

5347. That would be Monday?—On Monday morning.

5348. Where did you put up?—At the White Horse Inn.

5349. Did you attend the petty sessions?—I wanted to go to the other house, the Imperial.

5350. To Simcox's?—To Simcox's; but they had no bed.

5351. So you went to the White Horse?—Yes.

5352. Simcox's being your usual house?—Yes.

5353. How was Simcox's occupied?—The beds were all taken.

5354. I believe it was the races, too?—Yes, there were races in the neighbourhood.

5355. Races, petty sessions, and an election, all on the same day?—Yes.

5356. On the Monday, did you complete your instructions with regard to the election to any of the magistrates?—I might; it is very likely I did.

5357. When a stipendiary magistrate is appointed to proceed to a place where an election is to be held, does he take charge of the police, or is it still left in the hands of the local authorities; what is the practice?—Why, I believe any magistrate has authority.

5358. In practice, you do not supersede the authority of the local authorities?—No.

5359. What I want to know is this, is it the practice, when a stipendiary magistrate is there, to resort to him for measures to preserve the peace, or do the magistrates act as usual?—Generally they apply to the resident magistrate.

5360. He is not superseded in his authority?—No, he is not superseded.

5361. I know in point of law he is not, but in point of practice how is it?—I cannot say.

5362. When you use the term "resident magistrate," what do you mean?—I mean the stipendiary magistrate.

5363. Who takes the control and direction of the police of the town at an election, the resident magistrate or the local magistrates?—The high sheriff is the man who has the principal authority, and he deputes anybody he pleases.

5364. Then what has the resident or stipendiary magistrate to do?—He is to be there on the spot to preserve the peace as well as he can.

5365. Is

5365. Is he to assist the magistrates, or to act as their head?—Not as their head; he is to assist in preserving the peace.

5366. Did you know Captain Cory?—Yes.

5367. Did you put yourself in communication with him?—I did.

5368. When was the first day you saw him on the subject of the election?—I saw him on the Monday that I mentioned at the petty sessions.

5369. Did you make any arrangements with him as to the distribution of the police force at the coming election?—Yes, I asked him what force he expected, and when and where to arrive.

5370. I ask you about the police force?—The police force I am speaking of.

5371. You asked him what force he had, and what further force was to arrive?—Yes.

5372. Did you ascertain what he had?—Yes.

5373. How many?—At this moment I could not say—perhaps 14 or 16; I declare I do not know.

5374. Fourteen or sixteen what?—Police under his charge.

5375. Did more arrive afterwards?—Yes, a large force arrived.

5376. A large force of police?—A large force of police arrived on Tuesday, I think.

5377. Were you aware whether a company of infantry was stationed there or not?—Yes.

5378. Did you have any communication with their commanding officer?—Yes.

5379. Who was he?—Major M'Donald of the 95th; he had a company there.

5380. When did you first have any communication with him?—On Tuesday, I think.

5381. Did a troop of dragoons arrive?—Yes.

5382. When did you first see them?—On the same day.

5383. On the Tuesday?—Yes.

5384. On the Tuesday where were you during the day?—I was about the Tholsel, and in the streets.

5385. Were you in communication with the mayor on the Tuesday?—No, I am not sure that I was.

5386. With the high sheriff?—Yes.

5387. On the Tuesday what was the state of the town?—There was a good deal of excitement.

5388. Have you been present at other Irish elections?—I have, a good many, for these forty years past.

5389. Was there or was there not more than the ordinary excitement on an election on the Tuesday?—I do not think more than usual at elections.

5390. On the Tuesday?—Yes.

5391. On the Tuesday night had you any applications made to you for protection from anybody?—I had.

5392. Who from?—Mr. Moore's committee sent for me to say that there was a great deal of rioting going on; that the windows were broken at their committee-room, and stones were thrown, and they showed me one or two stones that had been thrown.

5393. What time did they send to you?—Late in the afternoon.

5394. Was it before dinner, or after; perhaps that will bring the time to your memory?—It was after the usual time for dining.

5395. Was it light or dark when you went to their committee-room?—It was dark; nearly dark.

5396. *Committee.*] Did Mr. Moore's committee send for you, or did they only communicate to you the fact of there being riotous proceedings?—They sent for me.

5397. Mr. *Phinn.*] Did you go to the committee-room?—Yes.

5398. What time did you go there?—I should say about eight o'clock; I am not positive.

5399. At that time were the windows broken?—Yes.

5400. Did you find much difficulty in getting to the committee-room?—No.

5401. Was the street occupied by a large crowd?—The crowd were a good deal dispersed at the time, because I had given orders to Mr. Cory to do so.

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5402. Then at the time you went to the committee-room you had given orders to Mr. Cory to disperse the crowd?—Yes.

5403. Was that before or after you received the message from Mr. Moore's committee as to the attack on their committee-room?—Before.

5404. Did you find any difficulty in reaching the committee-room?—No.

5405. Were you injured or attacked on your road?—No.

5406. You are well known in Drogheda, I believe?—Pretty well known.

5407. When you got to the committee-room, whom did you see there?—I saw two or three Mr. Smiths; I saw Mr. Moore; I saw Mr. Mayne, their solicitor, I believe.

5408. Anybody else; do you know Mr. Jordan?—Yes, I know Mr. Jordan; I am not quite sure he was there that night.

5409. Were either of the Mr. Verdons there?—I am not sure.

5410. What passed between you and these gentlemen when you went to the committee-room?—They told me the windows had been broken by some of the mob, and Mr. Mayne made an affidavit and information before me.

5411. Did you accept the information?—Yes, I did, on the Tuesday; and I went directly on the occasion to disperse any more of the persons who might have been remaining, and I succeeded.

5412. What means did you take to disperse them?—I came up to the police, and we patrolled up and down, and they were all dispersed; in fact, there was not a man, I believe, left in the street.

5413. Had you much difficulty in dispersing them?—No.

5414. How many police did you use for the purpose?—The greater part of the force they had there; the force consisted of 130 or 140 men, and the greater part were there; some of them might have been getting some refreshment, but there was a large force there at all events; quite sufficient for my purpose.

5415. Was there any necessity then for the military, either horse or foot?—Oh no.

5416. In what state did the town remain after you had dispersed this crowd on the Tuesday?—Very quiet.

5417. Was it a very formidable crowd to disperse?—No, I cannot say it was; they were dispersed before I went into the committee-room; the greater part were.

5418. On the Wednesday were you present at the court-house during the nomination?—Not in the court-house.

5419. Where were you?—Outside the Tholsel.

5420. Who was with you outside the Tholsel?—Mr. Cory, and the officers under him.

5421. Of the police?—Of the police; two of them.

5422. Was there a large crowd outside the Tholsel while the nomination was going on?—Yes; there was a good large crowd.

5423. Those who could not get admittance?—Yes, and those who, perhaps, did not want to go in.

5424. How early in the morning were you on the spot near the Tholsel?—I was there I should think about half-past nine, or a little earlier perhaps.

5425. Did you observe the friends of the two candidates arrive before the doors were open?—No, not particularly.

5426. Was there anybody attacked or injured before the doors were opened, as far as you saw?—I did not observe it.

5427. But you were observing the conduct and demeanour of the crowd, I suppose?—Yes.

5428. After the nomination, you say you were not in there; did you observe that some people went in before others?—I believe that there were a good number of people allowed in first.

5429. Before the great body of people were admitted?—Before the door was opened.

5430. How long was the interval between the time that some people got in and the great body were let in, do you recollect?—The great body were not let in until 10 o'clock.

5431. Did the police guard the entrance?—Yes; the police were drawn up by the direction of the high sheriff; he took upon himself to arrange that.

5432. Did he at that time make any complaint to you of the conduct of the mayor or of any of the local people?—I do not recollect that he did.

5433. After

5433. After the nomination was over, did you go out into the streets?—Yes; I remained with the police the whole day, except when I went to get my dinner.

5434. What state was the town in during the rest of the day of the nomination?—It was in a very excited state.

5435. Were the shops open or shut?—Generally, I believe, they were open.

5436. Did you see ladies about the town on the Wednesday?—I am not quite sure.

5437. Did you on the Tuesday; perhaps you were thinking more of your business than of the ladies?—I was thinking of course a good deal. I was very anxious.

5438. Now, on the latter part of the Wednesday, were you called on by anybody for protection?—Yes.

5439. When?—On the Wednesday after the nomination two or three different persons applied to me for protection, and I said I would afford them an escort of police if it was necessary, and they came up to me one time one person, and another time another, and I said, "Come along with me now," and they slipped away, and I saw them mingle with the crowd.

5440. Did you see anybody injured or hurt that day?—On the Wednesday, I saw one policeman hurt.

5441. How was that?—I think it was by accident. I think that when some of the other police were pushing away the crowd that this policeman fell, by accident, he was hit, and fell very near me against the kerb; the back of his head, I think, came against the kerb.

5442. Was he knocked down by any of the crowd?—No; I think it was an accident.

5443. He was in the rank, was he not?—Yes; there was a good deal of confusion and rush to get to the Court-house, and the mob pressed very much upon the constabulary.

5444. Did the police ever fix their bayonet outside the Court-house?—Yes; they did on that occasion.

5445. So that they could have protected him if it had been an attack by the mob?—Yes.

5446. You say you were appealed to for protection by two or three people; did you on all occasions express yourself ready to afford that?—I did.

5447. Do you recollect what time the nomination was over?—No, I cannot recollect.

5448. But after the nomination, up to five o'clock we will say, were you about in the town?—I was constantly with the police.

5449. Did you receive reports from sub-inspector Cory from time to time?—He communicated with me from time to time personally.

5450. Did he make written reports to you or mere verbal reports?—Verbal.

5451. Is it part of your duty as stipendiary magistrate to make a report from time to time to the Castle of the state of the town when you are sent on these missions?—Yes.

5452. Did you make your reports?—Yes; I said there was a good deal of excitement and some rioting, but I was happy to say that the crowd had completely dispersed at the time I wrote my report.

5453. When did you write that report?—It was on Wednesday, Thursday and Friday.

5454. And was that report founded on your own observation, or on your own observations and communications from Inspector Cory?—My own observation, and also from observations made by Mr. Cory.

5455. Did you, on the Wednesday, have any communication with the commander of the troops, either of infantry or cavalry?—Yes; I had to go for the infantry, who were quartered a long way off; more than half a mile, for they would not move without me; that is, they would not move without a magistrate.

5456. What time in the day did you go for the infantry; was that on the Wednesday?—Yes.

5457. What time in the day did you go, do you recollect?—I am not positive.

5458. *Committee.*] Are you sure it was on the Wednesday?—To the best of my belief it was.

5459. You went for the infantry?—Yes; to the best of my belief.

5460. Mr. *Phinn.*] Were they brought into the town whatever day you went

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for them?—Yes; I accompanied them, and I brought them into Peter-street, which was the scene of the riots that had taken place; I brought them there, and they marched up and down, and stopped occasionally at the beginning of the street, and the end of it.

5461. Had they any difficulty in clearing the street?—No; I believe they did not oppose them.

5462. Was any one of the soldiers injured by stones, or anything?—Not that I saw.

5463. Did you receive any complaint from the commanding officer of any man sustaining injury?—Not to my recollection.

5464. *Committee.*] Was this the infantry or cavalry?—The infantry; the cavalry were also out, and remained on horseback in view.

5465. Did you make use of the troops on this occasion in the manner you have been accustomed to on similar occasions?—Yes; I told them to be in readiness; to be within immediate call; I made the cavalry mount their horses, and to be ready.

5466. Had you ever any occasion to call upon them to charge?—No.

5467. Or to move; the cavalry?—To move; yes, I told them to go up and down, to show the people that we were ready.

5468. That you were ready in case of emergency?—Yes.

5469. We have heard that Captain Moore retired on the Wednesday?—Yes.

5470. Had he made any communication to you before retiring?—Not to me; he did to the sheriff, I think; the sheriff, as well as I recollect, showed me a note from him to say that he had retired.

5471. Were you consulted as to whether, if he proceeded with the contest, you could afford him adequate protection; were you asked?—I do not recollect that I was.

5472. From the state of the town on the Wednesday and the Tuesday, could you, in your judgment, have protected the voters to the poll on the Friday; had you force enough?—I think I had.

5473. You are aware that the sheriff has power to adjourn the poll, are you not, if necessary?—Yes.

5474. Then you were never consulted as to the necessity of Captain Moore's retirement?—No, not that I recollect.

5475. You say you took up your quarters at the White Horse; were you there when the speeches were made on the Monday and the Tuesday from the balcony?—I was about backwards and forwards through the crowd, and seeing what was going on, so as to be ready to communicate with Mr. Cory.

5476. Did you hear the speeches, or parts of them?—I cannot tax my memory with any particular expressions that I heard; in fact, I was not attending; I was attending more to my duty.

5477. Was there anything in the speeches that attracted your particular attention; you know what election speeches are; was there anything out of the ordinary course that attracted your attention?—There might have been, but I cannot say I heard anything.

5478. Was any complaint made to you of the conduct of the priests during the time you were there?—Not officially, that I recollect.

5479. Not officially; do you recollect anything being addressed to you?—I heard one or two persons say that the language was rather exciting.

5480. Rather exciting?—Or inflammatory, or some such expressions.

5481. Rather exciting?—I believe that "inflammatory" was the word.

5482. Do you remember who made use of that observation?—No, I cannot say I do.

5483. But was your attention pointedly directed to the language of the priests in any other way than you have mentioned to us?—No.

5484. Do you remember Mr. Mayne sending you some informations on the Thursday?—I do.

5485. Did you decline to receive them?—I went into the Tolsey, to the office, the mayor's office I believe it is called, for the purpose of taking his information; and on reading it over attentively, I saw that he implied that the authorities (I suppose that he included me as one of them) did not afford sufficient protection; and I said immediately to him, that it was rather an awkward thing for me to take an information of that kind against myself; he did not deny that he meant it to apply to me as one of the authorities, nor did he avow it; however, I said,

"It

"It would be more delicate of you to swear the information before one of the local magistrates than to swear it before me," "Oh," (says he), "I would be afraid to go out; I would be afraid of the crowd." "Come along with me," (said I), "I will escort you to one of the magistrates"; we went arm in arm together through the crowd, and we went up to Dr. Fogarty's, in Lawrence-street, and I took three or four police to escort him, and desired the police to remain there till he came out of Mr. Fogarty's house, and to keep by him; I then returned back to the crowd.

5486. I see the terms are, "Informant further saith, that adequate protection has not been afforded by the authorities, and unless the forces at their disposal are at once brought out, and kept constantly in the streets until after the election, informant verily believes that great personal injury will be sustained and lives lost;" had you had any application for protection that you had not attended to?—Except those persons that I told you; there was a person of the name of Mullen, who said he wanted protection, that his house would be injured, and his person injured, and I do not know what all; and he had an information in his hand, and he handed it to me to take; and I said, "Come along, and I will take your information;" he slipped away, and I did not see him any more; I put it in my pocket then, and I thought he would have come forward again, but he did not, and I did not see him afterwards.

5487. Did anybody apply to you for protection which you did not afford?—No; I do not think particularly so.

5488. You told us that two or three people applied to you, and that when you offered to escort them or give them assistance, they slipped away?—Yes.

5489. Were you able to pass through the crowd on the Tuesday or Wednesday when you pleased?—Yes.

5490. We have been told that you were knocked down during this election?—A fellow jostled up against me, and threw me down, and I fell upon one knee, and hurt my knee a little, but that was all.

5491. When was that?—I think that that was on the polling day, but I would not be positive.

5492. Was that done on purpose, as far as you could see?—I do not think they knew who I was.

5493. Were you attacked by a crowd, or was it merey the act of an individual?—It was an individual.

5494. Was any injury done to you when you were on the ground?—No; I jumped up directly.

5495. Was it necessary to have recourse to the military to protect you?—No; I did not think it was; I might have been a little angry.

5496. Was Mr. Cory with you when this happened?—He was near me.

5497. Did he draw his sword and rush forward to protect you?—He did; as well as I recollect.

5498. Did you see any necessity for his drawing his sword?—He thought there was a necessity for it; when he saw me down it was very natural that he should.

5499. But did anybody attack you when you were on the ground?—Not that I recollect.

5500. Did you receive any injury except what resulted from the fall?—No.

5501. What was that; I hope not much?—No; my knee was a little hurt against the flag.

5502. What were you doing when this occurred; what gave rise to it; do you recollect?—I had told Mr. Cory just previously to clear the street, and as the crowd rushed on, this man tumbled up against me, and jostled me.

5503. And you were thrown down?—Yes.

5504. But no deliberate attack was made upon you?—No.

5505. You do not think that the man, whoever he was, who jostled against you knew who you were?—No; I do not think he did; I do not think he cared who I was.

5506. On the Friday, was there access to the polling booths?—Yes; it would be impossible for me to see everything that was going on. The streets went at right angles. Here (*describing the position on the table*) is the Tolsey, we will say, looking up Peter-street, here is Shop-street going down to the quay this way; there was a polling booth here, and in the Tolsey.

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5507. So that you had three polling booths?—I think so; I would not be very positive.

5508. Did you move from one to the other?—Occasionally; but I principally remained at the Tolsey.

5509. Did you see any obstruction offered to voters who tendered their votes?—Not within my own observation, or I should immediately have afforded them protection; I should have called upon the police.

5510. We have had the attorney for the petitioners asking you to take an information; did anybody else tender you any information besides this man, Mullen?—No; not to my recollection.

5511. Was anybody brought before you, in your magisterial capacity, charged with assaults arising out of this election?—Yes; two or three, I think.

5512. When was that?—On the Friday, I think.

5513. Did you hold a petty sessions on the Friday then?—No; it was merely as an individual magistrate. There were two or three persons brought up to me for assaults, and I took bail; and they appeared at the subsequent petty sessions where I sat.

5514. And what became of them?—There was no conviction, I believe; as well as I can recollect there was none.

5515. Do you know of any prosecution arising from this election, either at sessions or assizes, pending or determined?—No; I do not think there were any more than I speak of.

5516. I think there had been, had there not, some charges of conspiracy against the turn-outs pending at the time of the election, had there not?—Yes.

5517. The weavers were on the turn-out, were they not?—Yes.

5518. Did you see whether that added to the excitement and the row, the people out of work?—It might; because there were a great many disappointed men among them.

5519. Now I will ask you this; throughout the whole of what you saw at Drogheda during the election, did you try to discharge your duty to the best of your power impartially?—I did.

5520. Have you any complaint to make of any of the magistrates who were on the side of Mr. M'Cann?—No; not particularly.

5521. The mayor; were you in communication with him?—Not much.

5522. You say you made reports. Did Mr. Cory act under your orders; or under whose orders did he act?—He generally acted under my orders. I believe he occasionally spoke to the sheriff; but whether he received particular orders from the sheriff or not I cannot charge my memory.

5523. Were you at the White Horse Hotel, out and in, during the day?—Not frequently. I wished to be as much as possible with the police.

5524. Did you see Cory at the hotel?—I saw him; I sent for him.

5525. To the hotel?—I sent for him, or called him, or went for him myself, and brought him to the hotel one day.

[The Witness withdrew.

[Adjourned to To-morrow, Eleven o'clock.

Jovis, 6° die Augusti, 1857.

T. H. S. SOTHERON ESTCOURT, Esq., in the Chair.

Thomas Derinzy, Esq., was again called in, and further Examined by Mr. *Power*, as follows:

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5526. I believe there is some portion of your evidence which you wish to correct?—Not to correct, but to explain.

5527. Will you do that if you please?—I was asked by counsel yesterday whether application had been made to me for protection, and whether I had refused

refused any; and I said not; but two days before the election, that is on the Monday, I was sitting on the Bench at petty sessions when Mr. Kelly came up and wished to speak to me; so I went to speak to him. He said he wished to have some police to patrol or to stay at his house to protect him, for that he apprehended violence.

5528. *Committee.*] Was that on the Monday?—Yes, two days before the election commenced. I considered for a moment, and it struck me that it would be rather imprudent to scatter the police in that way. I never saw Mr. Kelly in my life before; and I said I was disinclined to disperse the police in that way, because they were so few; there were only the police at that time belonging to the town; the reinforcement had not arrived.

5529. And finally you refused him?—I finally refused him on that day.

5530. Is there any other point as to which you wish to explain the evidence you gave yesterday?—No; I do not recollect anything.

Cross-examined by Mr. *Slade.*

5531. Is that the Mr. Kelly whose house was afterwards racked?—The same person.

5532. Mr. Kelly applied to you for a body of police to protect his house on the Monday?—On the Monday, two days before the nomination.

5533. And which you, from motives of prudence, declined to give him; that is it, is it not?—That is it.

5534. Do you know when it was that Mr. Kelly's house was racked?—Yes, on the Tuesday evening, as I observed yesterday; I was sent for by the committee.

5535. By Mr. Moore's Committee?—By Mr. Moore's committee at Mr. Kelly's house; and there they showed me some stones that had been thrown in at the windows, and windows broken; but previous to that I knew what had taken place, and I ordered the police-officer on duty to disperse the crowd, and he did so; and after I had been with the committee, Mr. Mayne made an affidavit before me, or an information; I went out directly and dispersed, or ordered the police to disperse, any people that remained in the street, and they were dispersed.

5536. In Ireland (it seems to me very odd) are you obliged to have an information upon oath before you can act when there is an actual riot going on?—I do not believe there is any absolute necessity for it.

5537. Do you make it a rule yourself to have an information on oath before you desire your constables to act?—It was tendered to me.

5538. Do you make it a rule in your practice to have an information on oath before you bring your force to operate upon the mob?—To warrant me in calling out the military in aid of the civil power I should be glad to have it.

5539. *Committee.*] The question was with regard to your own civil force; do you require an information on oath before you direct your own force to disperse the mob?—No, not always.

5540. Mr. *Slade.*] Generally?—No, I do not think so.

5541. But I presume you call out the military; I do not mean desire them to act, but you call them out before you have an information on oath do you not?—On a sudden outbreak.

5542. What was the information on oath (if any) which induced you to call out the infantry and cavalry on that day; they were out in the streets you know?—I placed them there.

5543. In readiness?—To be within call in the event of anything occurring.

5544. Then you do call them out, though you do not give them orders to act without an information on oath?—Not to proceed to any violence.

5545. I want to know exactly this; we are told that the cavalry and infantry were out?—Yes.

5546. Did you have them out without any information on oath upon that occasion?—I had no information on oath on that occasion.

5547. Then you did call them out?—I placed them so as to be within call.

5548. Out of their barracks?—Yes.

5549. Mounted?—The cavalry were mounted.

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5550. And under arms?—Yes; but at a certain distance so that I might call upon them immediately.

5551. That is rather contradictory; you said just now that before calling out the military you should like an information on oath?—Perhaps you will allow me to explain what I mean; I mean calling the military out to act, to perform military operations; suppose I call them out to charge.

5552. Do you put your troops under arms without an information on oath?—I do.

5553. That is your general rule?—Yes.

5554. How long have you been stipendiary magistrate?—Eleven years, I think.

5555. Have you attended many contested elections in that character?—No, not many; I attended one, the county of Louth.

5556. When was that?—The previous election.

5557. In 1852?—In 1852.

5558. Was that the county?—The county.

5559. Did you ever attend any contested election in a borough as stipendiary magistrate before this?—No.

5560. You were not at the Clare election, were you?—No.

5561. You know nothing then about the Six-mile-Bridge affair?—No, except what I read in the papers.

5562. You do not appear to me to be quite certain as to who has the supreme authority at a contested election when a stipendiary magistrate is sent down?—The sheriff.

5563. You are sure of that?—Yes.

5564. Yesterday you were not certain?—I know the sheriff; he deputes; in fact I was deputed by the sheriff, in my capacity as magistrate to act under his authority.

5565. Do you mean to say that the sheriff on this occasion gave up his authority, and handed it over to your hands?—I do not say he gave it up; he deputed me.

5566. The same as you would depute any inferior officer of your own?—Yes.

5567. You did not consider yourself the sheriff's deputy?—Not exactly his deputy, except as acting under his authority; he has the supreme power.

5568. The high sheriff?—Yes.

5569. Do not let there be any mistake about this; the high sheriff was the party who had the authority to employ the troops?—Yes, the principal authority.

5570. He was the man from whom you would receive your orders?—Yes.

5571. Has the mayor any authority when the high sheriff is there?—I should rather think not.

5572. Were Mr. Carty and yourself in consultation during the election, with reference to the measures to be adopted?—Very little; I spoke very little to him about it.

5573. That very little might be of importance; was Mr. Carty, the mayor, in consultation with you with reference to the measures to be adopted, or the necessity of adopting measures?—I do not recollect any particular conversation that I had with the mayor upon the subject.

5574. I rather think my term was "consultation;" did you consult with the mayor as to the propriety of using force or adopting measures of some stringency to repress these disorders?—I do not recollect.

5575. Did you not see Mr. Carty, and talk with him when the riot was going on?—Yes, I met him a few times.

5576. And did you not consult with Mr. Carty as to the propriety of using force?—I say I do not recollect it.

5577. Are you sure you did not?—I do not recollect it.

5578. What day did you go to Drogheda?—I went to Drogheda on the Monday.

5579. You told us you went there to attend your petty sessions, which you sometimes do?—Yes.

5580. Had you an order from the Castle to go down?—For the election.

5581. You had an order from the Castle?—From the Castle.

5582. Have you got it?—I do not think I have; shall I tell you exactly what it was.

5583. If you please?—It was "to proceed to Drogheda to attend the election, which

which will commence on Wednesday, the 1st of April, and to remain during the election;" those were the words.

5584. That is all?—That is all.

5585. Then there were no directions to you other than to attend the election that would commence on the Wednesday, and to remain till it was over; that was all?—Yes.

5586. What you had to do would depend then upon the general instructions which you received when you were appointed stipendiary magistrate?—Yes.

5587. I do not understand, as was stated at one time, that the stipendiary magistrate supersedes all the other magistrates in the town?—I think that any magistrate in the town may act if he chooses in conjunction with the stipendiary magistrates.

5588. Just now you told us that the high sheriff was the man who had the supreme authority?—I know he has the supreme authority; but he may depute any magistrate.

5589. But surely the high sheriff does not want the sanction of the stipendiary magistrate to act; the high sheriff may act of his own accord, may he not?—He may.

5590. The rules, I believe, are such, that the police are to be under the orders of the high sheriff, are they not; let me read you this rule, and tell me whether it is a rule under which you act. "The police attending at the several county, city, or borough elections are to consider themselves exclusively under the authority of the high sheriff, or other returning officer; and the officer in command of the constabulary will not grant a party to any magistrate unless he shall have a regular deputation from the high sheriff, or other returning officer." Is that the fact. These are your rules under which you act; will you have the kindness to take them into your hand; is that so; they are called "Standing Rules and Regulations for the Government and Guidance of the Constabulary Force of Ireland, as approved of by his Excellency the Earl of Mulgrave, Lord Lieutenant-general and General Governor of Ireland. J. S. Kennedy, Inspector-general, 1 October 1837." Are you aware that these are the rules under which the police act in the case of all contested elections?—Will you read that part again, if you please.

5591. It is headed "Elections;" it is section 380, "The police attending at the several county, city, or borough elections, are to consider themselves exclusively under the authority of the high sheriff or other returning officer; and the officer in command of the constabulary will not grant a party to any magistrate, unless he shall have a regular deputation from the high sheriff or other returning officer;" were you aware of that?—Yes, I believe so; but the high sheriff deputes the stipendiary magistrate to act under his directions; I was deputed by the high sheriff there; the high sheriff deputed me verbally.

5592. Were you deputed by Mr. Verdon on this occasion?—Yes.

5593. He deputed you?—In the course of conversation with Mr. Verdon; in fact I saw the necessity of being deputed before I would venture to act.

5594. Just now you told us that Mr. Verdon did not give up his authority to you?—I do not think he gave up his authority; he might be in one place and I in another.

5595. Then of course you have authority to act like any other magistrate?—I speak now of what is usual at elections.

5596. What is usual?—For the sheriff to depute the stipendiary magistrate or any other person he chooses.

5597. Was there any formal deputation of authority to you by Mr. Verdon?—Not in writing.

5598. But was there any formal deputation by word of mouth or in writing?—Yes, by word of mouth.

5599. What did he say?—I said to him that I wished to be deputed by him to act; I think that was it.

5600. That you wished to be deputed by him to act?—Yes.

5601. What did you mean by that; did you mean that you wished to have power to act?—Yes; without the sheriff's power to act, I do not think I would be justified.

5602. At what time was it that you had this conversation with Mr. Verdon?—On the Wednesday, I think.

5603. Mr. *Phinn.*] The sheriff's authority does not commence until the Queen's writ is read, I believe?—No.

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5604. *Committee.*] On what day did the high sheriff verbally, as you say, give you this authority or deputation?—I think it was on the Wednesday.

5605. Mr. *Slade.*] On the Wednesday, you think?—Yes.

5606. Was that after the nomination?—I think it was.

5607. Where was it?—I cannot charge my memory at this moment.

5608. You are quite sure it took place?—Certainly.

5609. You had acted before, on the Tuesday night, by sending the police to the committee-room of Mr. Moore?—Yes.

5610. Then, you see, you could act without authority, because you did; it is suggested that you had power to act before the Queen's writ was read without any authority from the sheriff; is that so. Had you power to act before the Queen's writ was read on the nomination day without any authority from the high sheriff?—If there was a riot taking place at any time previous or subsequent.

5611. Or at the election?—Yes.

5612. You had power to act previous to, at and after the election as a magistrate, without the authority of the high sheriff?—Undoubtedly; but I would not call out the military, that is, I would not act offensively without power from the high sheriff.

5613. Who called out the military on the Tuesday?—I did.

5614. Before you had got the authority of the high sheriff?—The military would not go a step without me; their orders are such that they must be accompanied by a magistrate; but I am not speaking now of their being called out offensively to act.

5615. What have you got in your hand?—These are the "General Orders for the guidance of the troops in affording aid to the Civil power;" it is said here, among other things, "The mode in which the troops are to afford such aid, must be strictly limited to their acting as a military support to the civil power; they must never be dispersed, but remain as much concentrated as possible, and they are not to have recourse to actually offensive measures until the civil power has completely failed, or proved to be totally inadequate, either to maintain the peace or to overcome any manifestly illegal and forcible resistance to the due execution of the laws; and even then the military can only act under the express and positive orders of the magistrate, sheriff, or sub-sheriff."

5616. Therefore the military, according to this, might have acted under the orders of the sheriff?—Yes.

5617. Were you aware that application had been made to Mr. Carty to house the police in the Tholsel?—Yes; I was told so.

5618. You were aware of it?—I was.

5619. Was it a very wet night?—It was a very wet night.

5620. And it was necessary?—I thought so; I was on duty the greater part of the night with the police.

5621. Which night was this?—I believe it was the Monday night; I will not be positive.

5622. Wednesday was the nomination day. Perhaps you will recollect, it might have been Tuesday, very likely?—I cannot tax my memory whether it was Tuesday or Wednesday.

5623. It was one or the other?—It was one or the other, I think.

5624. Did you remonstrate with Mr. Carty on his declining to let you have the Tholsel?—No; I did not see him that night; but the sheriff said he would act independently of Mr. Carty, and would insist on the police being housed. However, the door was locked, and he brought them into his own house.

5625. Mr. Verdon did?—Yes; at least he brought as many as the house would contain.

5626. I believe it was a very wet night?—Very.

5627. You were there on the Monday first?—Yes.

5628. And you were at the White Horse Hotel, you tell us?—Yes.

5629. Did you have a private apartment?—No; I was only in the coffee-room; I had a bed-room there.

5630. I suppose the house was very full?—Yes; it appeared to me to be very full.

5631. And people were coming in and out?—Yes.

5632. You were aware, of course, that Mr. M'Cann's committee assembled there?—Upon my word I did not inquire at the time.

5633. But I ask you, were you aware of it?—I did not inquire.

5634. Were

5634. Were you aware of it?—I do not think I was aware of it until some of them sent for me to ascertain from me whether I had given instructions to the officer in command of the police not to obey any orders, except those emanating from myself.

5635. Who sent to you that message?—I believe it was Mr. M'Cann; I think it was; but I went in, and saw the mayor there and Mr. M'Cann, and others of his committee; and I think that that was the first time I knew that the committee sat there.

5636. Then your answer to my question is, that you were aware that Mr. M'Cann's committee sat in that house?—At that time; I did not know whether they continued to do so.

5637. When was it that you were aware that Mr. M'Cann's committee sat in that house?—At the time I speak of.

5638. But when was that time?—I cannot charge my memory with all these incidents.

5639. Was it the Monday night?—No.

5640. Was it the Tuesday night?—No.

5641. Was it the Wednesday?—I think it was the Wednesday.

5642. The day of the nomination?—No; it was the Thursday, indeed.

5643. The day before the polling?—No; it was the day of the polling; that was the first time; indeed I did not know that the committee sat there, I thought that they had rooms of their own; this was at the hotel; they might have occupied it just at that particular time for what, I could tell, but I never inquired.

5644. But surely you were aware that the people were addressed from the balcony on the Monday night and the Tuesday night?—Yes.

5645. You were aware of that?—Yes.

5646. And by M'Cann's party?—Yes.

5647. And by the priests from the balcony of the house in which you were staying on the Monday night and the Tuesday night?—Why, they spoke from the other balcony of Mr. Simcox's hotel as well.

5648. Were you aware that the people were addressed from the balcony of the White Horse Hotel in which you took up your quarters, by M'Cann's supporters, and by the priests?—Yes.

5649. Were you not aware of that on that very Monday, when you were there living in that hotel. There was a great crowd round the house, I suppose. Were you not aware of that?—Of what?

5650. Of their being addressed by the priests from the balcony?—Yes.

5651. On the Monday night?—Yes.

5652. Were not the Lancers, under the command of Sir William Gordon, out in the streets that night, the Monday night?—Oh, no.

5653. They were not?—No; on Monday you are speaking of?

5654. Yes.—No, I do not think so; no.

5455. Try and recollect?—I cannot recollect that they were.

5656. Were they not there on the Tuesday night?—In the night?

5657. While the mob was being addressed from the balcony of the White Horse Hotel were not the cavalry mounted, and under arms, and under the command of Sir William Gordon, parading that street, on the Tuesday night?—On the Tuesday afternoon they were, but not at night.

5658. They were on the Tuesday afternoon?—I think so, as well as I can recollect.

5659. Are you not quite certain of it?—It is so long since it occurred, that I cannot charge my memory as to the different days.

5660. You have charged your memory as to particular days on some matters; the conversation with Mr. Verdon, the high sheriff, you fix as having taken place on the Friday; surely you can tell the Committee which was the first day on which you, as stipendiary magistrate, took upon yourself to order the cavalry to mount, and parade the streets. What was the first day; you can tell us that surely?—Yes; the cavalry were mounted on the Tuesday.

5661. By your order?—Yes; but not to act offensively.

5662. We will sink that; they never acted offensively once throughout the whole election, we know that perfectly well. Was the town in such a state on the Tuesday as to make it imperative on you, as stipendiary magistrate, to order the cavalry to mount?—There was a good deal of excitement among the people.

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5663. And you thought it prudent to order the cavalry to mount?—So as to be within call.

5664. I am calling your attention to the cavalry under Sir William Gordon being in that street where the mob was, patrolling it, not in a place within call, and mounted, out of sight of the people; I want to know whether the cavalry were not, by your orders, placed in that street opposite the hotel in which you yourself were living?—I was very little at the hotel.

5665. I do not care about that; do answer the question; you are the stipendiary magistrate called by the other side to prove the state of the town. I want to know whether mounted cavalry were not placed by your orders in the very street in which the hotel was, from the balcony of which the people were being addressed?—Yes.

5666. What induced you to order out the cavalry?—To place them in such a position that they would be within call.

5667. They would be within call two streets off, where there was no mob; what induced you to place the cavalry in the midst of the mob, and order Sir William Gordon and his troop to march up and down the street; would Sir William Gordon have marched up and down the street without your orders?—No, I do not think he would.

5668. Did you give Sir William Gordon the order to march his troop up and down that street?—I gave him orders to draw his cavalry up, and stay there until I gave further orders.

5669. Stay where?—In the street.

5670. Opposite the hotel?—I do not say exactly opposite it; near the hotel.

5671. What induced you to give that order; was it the state of the town, and the riotous and excited state of the people?—Yes; so as to have them in readiness.

5672. And had you at the same time ordered out the infantry?—Not at that time.

5673. The same day did you order out the infantry?—Not at the time you are speaking of.

5674. Did you order out the infantry that same day?—Not at the time you are speaking of.

5675. That same day did you order out the infantry?—I am just thinking; no, I think it was on the Thursday that I ordered them out.

5676. Do you mean to say they were not ordered out before Thursday?—Yes; they were out on Wednesday.

5677. Are you certain that the infantry were not ordered out on the Tuesday?—I do not recollect it; they were certainly ordered out on Thursday; I went myself for them to the barracks; they would not come without me.

5678. You were a long time recollecting about the cavalry; now let me try to recall your recollection to the fact; were not the infantry ordered out on the Tuesday?—I do not recollect it.

5679. Will you venture to say for certain that they were not?—I will not.

5680. They might have been, then?—It might be so.

5681. Now attend, if you please, to the next question; did you order out the cavalry on account of what you had yourself witnessed, or on account of any report that was made to you?—Rather, I should say, from what I had seen myself, the assemblage of a vast number of people; and I determined to rely upon the civil power, if possible, without having recourse to military aid.

5682. But you ordered out the cavalry?—To be in readiness.

5683. Something more than that; you brought them into the centre of the crowd, and drew them up near the hotel; did you send a message for Captain Gordon, or did you go for him yourself?—I went for him myself, I think.

5684. At what time in the day had what you yourself saw impressed upon you the necessity for calling out the cavalry?—To have them ready.

5685. If you will be kind enough to direct, attentively, your mind to my question, and not wander from it, we shall get on much better; at what time of day did what you had yourself witnessed impress on you the necessity for calling out the cavalry?—What day are you speaking of now?

5686. Tuesday; we are confining ourselves to Tuesday at this moment; you say you went yourself for Captain Gordon, you know?—Yes.

5687. *Committee.*] Was it the morning, or the afternoon, or the evening?—It was

was in the afternoon; but I am just considering whether it was the Tuesday or Wednesday.

5688. We have nothing to do with the Wednesday at present; on the Tuesday you say you went for Sir William Gordon; do you remember that?—Well, I declare I do not, at this moment, recollect whether it was Tuesday.

5689. Mr. *Slade.*] But you have admitted to us that on Tuesday the troop was drawn up near the hotel by your orders; are you in doubt about that; because, if you are, we shall have to go back a whole page of evidence you know?—To the best of my belief.

5690. Very well; I will take your belief that it was on the Tuesday?—I might be mistaken as to the day; but to the best of my belief it was Tuesday.

5691. You believe it was Tuesday rather than Wednesday?—To the best of my recollection I should say it was Tuesday.

5692. Now tell us at what time in the day it was?—Sometime in the afternoon.

5693. Before your dinner?—Yes.

5694. Were the priests addressing the mob at the time when you went out for the troops?—Yes.

5685. Did the addresses of the priests appear to excite the mob?—The mob cheered a great deal, and made a great noise.

5696. Do answer my question; did the addresses of the priests appear to excite the mob?—Yes; they cheered, and made a great noise.

5697. Was that what induced you to go for the cavalry; the state in which you saw the mob when the priests were addressing them; was that what induced you to go for the cavalry?—I do not know.

5698. You say that when you went for the cavalry the priests were addressing the mob; how long did it take you to fetch the cavalry?—A very short time.

5699. Five minutes, 10 minutes, or 20 minutes?—Perhaps fifteen minutes.

5700. Did you bring the cavalry back yourself as a magistrate?—Bring them back?

5701. Yes?—Back where?

5702. Why, to the hotel that you had left?—No; I do not know that I did.

5703. You are the party to give us the information, and you are called as a witness for the purpose; did you accompany the cavalry from their barracks, or their quarters, to the White Horse Hotel, which you had left for the purpose of fetching them?—No, I do not recollect.

5704. Now attend to this question; did you return to the White Horse Hotel before the cavalry came?—Before the cavalry went, did I go to the hotel?

5705. Did you return to the White Horse Hotel before the cavalry came?—No.

5706. Then, had the cavalry arrived at the White Horse Hotel before you returned?—Before I returned?

5707. Yes?—I declare I cannot say.

5708. You have told us positively that you did not return with them, and you have told us positively that you did not return before them; now I ask you, did you return after they arrived?—After they returned do you mean? after they retired?

5709. No; did you accompany the cavalry from their quarters to the vicinity of the White Horse Hotel?—I did.

5710. How near did you get to the White Horse Hotel?—Perhaps 20 or 30 yards.

5711. Near enough to see the hotel?—Yes.

5712. Were the priests addressing the people then, still?—I am not sure.

5713. Will you venture to say they were not?—I forget whether they were or not, just at that moment. I left the cavalry there, and went over to the constabulary, to be with them to try and preserve the peace.

5714. Just so; then the peace was in danger of being broken?—I was apprehensive it might be.

5715. The mob were still in a very excited state?—They were.

5716. You say you went to the constabulary; did you go to the constabulary to get the police as well?—The constabulary are the police force.

5717. Do have the kindness to fix your mind upon my question; did you go to the constabulary for the purpose of getting the police, as well as the cavalry?—Yes;

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—Yes; I went to remain with the constabulary, the police; we call the police the constabulary.

5718. So do we; did you go to the constabulary to get the police, or did you go to the police to get the constabulary?—I went to remain with the police or constabulary, whichever you like to call them.

5719. You went to remain with them, in their quarters?—In the street.

5720. Where were they, in the street?—They were drawn up between that and the Tholsel; they were drawn up in the street; I forget the precise position they occupied.

5721. Were they drawn up near the White Horse Hotel?—No; I think they were drawn up more towards the Tholsel at the time.

5722. How far from the White Horse Hotel?—They were drawn up, I believe, nearly opposite to the other hotel.

5723. Simcox's?—Yes, Simcox's; I think so.

5724. Up to what hour did the cavalry remain out?—Sir William Gordon asked for permission to have the men drawn up in the yard, and as it was raining very hard at the time, as well as I recollect.

5725. *Committee.*] How long did they remain out; was it an hour?—Two; two hours I should say.

5726. Mr. *Slade.*] When were they finally dismissed to their quarters?—Pretty late in the afternoon.

5727. What does "pretty late in the afternoon" mean?—Well, I should say six o'clock.

5728. Just before dark; before you had had your dinner?—Yes. I did not dine sometimes till nine or ten. I wished to be as much as possible with the police.

5729. It was necessary?—Yes; I seldom dined until the crowd had dispersed, nearly.

5730. And that was generally, you say, between nine and ten?—Yes.

5731. In short, it was such a crowd as made it, in your judgment, proper that you should be there, among the police and the soldiery?—Yes.

5732. Were they all this time very excited, and very riotous?—They were very much excited.

5733. And I suppose you were seriously apprehensive for the peace of the town?—I was very anxious for the preservation of the peace.

5734. And seriously apprehensive; it was not upon a mere fancy that you had out the troops?—No.

5735. There were grounds for your serious apprehension?—There being so very large and monstrous a population, some thousands assembled there, of course I felt in some degree apprehensive that there might have been serious disturbance.

5736. You say there were some thousands; how many thousand people do you think were assembled that night in the streets on the Tuesday?—I am not a judge.

5737. But some thousands, were they not?—Some thousands, I should say; but of all sorts, men, women, and children; I dare say one-half of them were women and children, or nearly so.

5738. No doubt you called out the cavalry to them. You do not mean seriously to represent to the Committee that you, being, as you say, "seriously apprehensive," called out the cavalry to a mob composed principally, or one-half of it, of women and children?—I was apprehensive that there might have been a sudden outbreak; and therefore it was that I wished to have the cavalry within immediate call, so as to clear the streets in the event of a necessity for it arising.

5739. The mob did proceed to acts of violence that night, did they not?—What night are you referring to?

5740. We are talking of the Tuesday night; and we shall never get beyond it if you do not answer my questions more rapidly?—Yes; they broke some windows; they threw stones, and they attacked Mr. Kelly's house, where Mr. Moore's committee were; because I was sent for, and went there, and took the information there from Mr. Mayne; an information very similar, though not quite as strong, as another that he swore before one of the local magistrates.

5741. That is not the information which you declined to receive?—No.

5742. You did receive that?—No. The first information was on the Tuesday, to the best of my recollection; and I went into the committee-room at their desire, and they showed me stones that had been thrown through the windows.

5743. Pretty

5743. Pretty good sized ones, were they not?—Yes; about the size of my hand; and panes of glass; several panes of glass had been broken. I had previously given directions to the police officers to clear the street; to disperse the crowd; not to clear the street, but to disperse the crowd. And after I had been in the committee-room, and got the information that was tendered by Mr. Mayne, I went out myself with the police, and marched up and down till we dispersed every man of them.

5744. What time in the night was this?—It was dark; we did not leave a person in the streets.

5745. Were the troops gone to their quarters then?—The troops had, but not the constabulary. I stayed with the constabulary, I believe, till 12 o'clock at night, or perhaps longer.

5746. Then I suppose, up to that time, 12 o'clock or longer, the town continued in a very excited state?—No, not at all. I have just told you that the crowd had dispersed very soon after the time that I speak of.

5747. And they had not met in any other part of the town?—Not that I could find out; the principal part of the crowd was along Peter-street, along the Tholsel, and down Shop-street and West-street; and they were dispersed.

5748. Did you at first object to receive the information which Mr. Mayne gave you on the Tuesday night?—Did I object to it?

5749. Yes?—No, I did not object to it: I hesitated a moment about taking it; and immediately afterwards I tooke the information.

5750. Did you not hesitate?—I hesitated for a moment to consider.

5751. Did you not state when you hesitated that it reflected upon the mayor, and that you could not take it. Here is the information?—That would make it appear that I refused to take it.

5752. No; I do not talk about refusing; did you not hesitate to take it?—I hesitated for a moment.

5753. And did you not state to Mr. Mayne that it reflected upon the mayor?—I cannot recollect that.

5754. This information was offered to you by Mr. Mayne at the committee-room?—Which I took and acted upon.

5755. But you say you hesitated; did you not state as a reason for your hesitation that it reflected on Mr. Carty, the mayor. I will put it into your hand (*handing the paper to the Witness*). You will see the part which does mention Mr. Carty's name; that may call it to your recollection?—It would be very difficult to recollect all those incidents and dates, and times, and hours, and minutes.

5756. You recollect that you hesitated; now I wish to ask you this: did you not, in the presence of Dr. Atkinson and Mr. Jordan, say to Mr. Mayne that the reason for your hesitating to take it was that it reflected upon the conduct of the mayor, Mr. Carty?—I think the observation I made was that it reflected upon——

5757. *Committee.*] Did you assign that as a reason; did you then hesitate, because you said it reflected on the conduct of the mayor?—I hesitated for a moment; I think it is likely I might have said so; I will not be positive.

5758. Mr. *Slade.*] Is that the only answer you can give us, that you might have said it?—I might have said it.

5759. Is it your habit to object to take an information upon oath, because it reflects upon some one in authority?—I did not object to take it.

5760. As stipendiary magistrate, is it your habit to do so?—I did not object to it; I took the information.

5761. Do answer my question: is it your habit to hesitate to take an information because it happens to reflect upon some person in authority?—No; indeed it is not.

5762. It is not?—No.

5763. Then how came you to answer me that you might have assigned that reason, and you will not say whether you did or did not?—Why, if I had refused to take the information, it would be a different thing; I merely hesitated for one moment; not so long as I am now speaking to you.

5764. I must have an answer to my question if it is possible to get it. Did you assign as a reason that it reflected upon the authority of the mayor?—I cannot charge my memory really. I say I might have said so, but I cannot charge my memory.

 5765. Now,

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5765. Now, I ask you upon that, are you accustomed to object?—I have said no.

5766. Now, attend to this question; did you, when the second information was tendered to you, insist on Mr. Mayne expunging that part of it which reflected upon the authorities?—Certainly not; to expunge what?

5767. In this first information I have been asking you a long time whether you did not object ——?—You are now speaking of the first information?

5768. *Committee.*] Have you given an answer to the question with regard to the second information?—The Counsel is now speaking of the first information.

5769. The principal part of the examination has related hitherto to the first examination. Now the Counsel asks you what you did with regard to the second information; have you given an answer to that?—I went with Mr. Mayne to take his information that he had tendered; I went into the mayor's office, I think it was, and I read it over attentively, and I saw that it reflected upon the authorities, including myself, and I therefore felt that it was rather an awkward thing for me to take an information involving myself, as it were.

5770. What did you do?—I told Mr. Mayne it was a very awkward and unfair thing to ask me to take an information involving myself; but that the better plan would be to let the information be taken before one of the local magistrates.

5771. That was the second information?—Yes; I went with the gentleman; we went arm-in-arm through the crowd, for he said he was apprehensive himself; we went arm-in-arm through the crowd, and I brought him up to Mr. Fogarty, who resided some distance off. I brought him there escorted by four policemen and Mr. Cory, and left him at Mr. Fogarty's house; and then I came back to the police to stay with them.

5772. Mr. *Slade.*] Now confine yourself to the information which was tendered to you by Mr. Mayne at the committee-rooms on the evening of Tuesday; did you not insist upon having part of that information—— ?—Insist upon it, no.

5773. Hear my question, if you please. I will withdraw the word "insist," did you not request that that part of the information which contained a reflection on Mr. Carty should be expunged?—I cannot recollect that I did.

5774. Take it in your hand again?—I read it before.

5775. On reading it over you will be able to tell us positively, yes or no, whether you requested that that part of the information should be expunged which reflected on Mr. Carty. [*The Information was handed to the Witness, who read it.*]

5776. You have studied it. Having seen it and read it, I ask you did you not request that that part of the information should be expunged that reflected on Mr. Carty?—I cannot recollect that I did; I said so before.

5777. But you might have done so?—It is within the range of possibility; but I cannot charge my memory with the fact of having requested that part to be expunged.

5778. How long were you in that committee-room that night; the Tuesday night?—Not a quarter of an hour.

5779. The next day was the nomination day?—I should say that on that night, when I went out to make the police disperse the crowd, Mr. Mayne asked me to give him back the information, in order that he might make a copy of it, and I handed it to him to take a copy of it, and after the crowd were dispersed, I went there and took up the information, as well as I recollect.

5780. Now we have concluded all you can tell us about the Tuesday; now upon the Wednesday, the nomination day, you say you were at the Tholsel door?—Yes.

5781. Had you the cavalry out that day?—Yes; but not at the moment of the doors being opened.

5782. At what time did you order the cavalry out?—At 10 o'clock the Tholsel was opened, and I think that about 12, as well as I recollect, was the time I ordered the cavalry out.

5783. Did you send for them, or go for them?—I think that, on that occasion, I sent a police orderly to have them in readiness, and then I proceeded on to meet them, as well as I can recollect.

5784. Did you find them coming out of the barracks, or out of their quarters?—Yes, I think so; I brought them up.

5785. Where did you bring them to?—Near to the Tholsel.

5786. Sir

5786. Sir William Gordon?—Yes; and I told him to remain there till further orders.

5787. Were the infantry under arms that day?—On the Wednesday? No, I rather think not.

5788. Try and recollect?—Well; I do not particularly recollect that they were that day; let me see; no, I do not recollect.

5789. They might have been?—It is possible I might have called for them; no, I should have in the first place to send a written requisition, and then I would have to go for them, and accompany them, before they would be justified in moving.

5790. *Committee.*] Did you do that that day; did you accompany them?—I am not sure as to Wednesday.

5791. Mr. *Slade.*] Is there any difference between the cavalry and the infantry; would the cavalry come without a written requisition?—I gave a written requisition.

5792. *Committee.*] Did you accompany them?—I do not think I did on the Wednesday.

5793. Mr. *Slade.*] I suppose the state of the town was such, that you found it necessary to draw out the cavalry?—Yes; the reason why I preferred having the cavalry there was, that they would not be so likely to do mischief.

5794. What?—To do mischief; I mean that the cavalry could disperse the crowd without the risk of life; that was my great object. It is very easy for the cavalry to move up and down, the crowd must disperse.

5795. How long were the cavalry under arms that day?—I cannot say exactly how long; perhaps they were two or three hours.

5796. At what time were they sent home to their quarters?—In the afternoon, about four o'clock, as near as I can recollect.

5797. They were called out at 12, and sent home about four?—As well as I can recollect.

5798. Were the cavalry on that day drawn up at the Tholsel, or near the Tholsel all the time?—They were there a long time; I cannot say exactly how long.

5799. Were they moved to other parts of the town?—Yes; they went occasionally up and down.

5800. Did they go occasionally up and down in front of the White Horse?—Yes; in that direction.

5801. Were there speeches made on that day also from the balcony of the White Horse?—I believe there were.

5802. Of the same exciting character?—Yes; I understood so.

5803. Did you understand that the priests had been making very strong speeches?—I heard so; I did not hear what they said.

5804. But was it reported to you?—I heard different persons speak of it; that the speeches were of an exciting and rather inflammatory character. That is what I heard; whether it is evidence or not I will not pretend to say.

5805. At what time did these speeches begin on the Wednesday; immediately after the nomination?—Soon after the nomination; after the court-house was cleared.

5806. And did they continue up to the time when the troops were ordered home?—Oh yes, and beyond it. I thought I should have been able to preserve the peace with the civil force; I did no like to keep the cavalry sitting upon their horses too long. I did not like to keep them sitting there the whole day.

5807. And you dismissed the cavalry?—Yes.

5808. Did you give orders that they were not to unsaddle?—No; I do not recollect that, because the general order I gave to Sir William Gordon was, to be ready at a moment's warning in case they should be called out.

5809. Then they would not unsaddle, I take it for granted?—No; that was his own look out.

5810. During the whole of this Wednesday, the nomination day, was not the town in a very riotous and excited state?—Very excited, indeed.

5811. Thousands of people parading the streets?—Some thousands, men, women, and children.

5812. Did you yourself hear very abusive language applied to the supporters of Mr. Moore?—No; I heard a good deal of haranguing from the balconies, and al that sort of thing, but I do not recollect any particular expressions.

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5813. Perhaps not; but one may carry away in one's mind the idea the expressions convey, without recollecting the expressions themselves; I ask you whether you did not hear, during the course of that day, constant abusive language proceeding from the mob against the supporters of Mr. Moore, and language of the grossest description?—Yes; but I could not say what the language exactly was.

5814. I do not ask you to say?—Certainly, it was so; and at the conclusion of each sentence the mob cheered and made a great noise, and all that sort of thing; from which I inferred that the language held out to them was what pleased them most.

5815. Now, you are talking of the speeches from the balcony; I am asking you as to the mob themselves; were they not using language of the grossest and foulest description?—I beg your pardon; I misunderstood you; yes, occasionally.

5816. And applying it anybody who opposed Mr. M'Cann, or who was thought to be likely to oppose him?—They have a method there of "Boo"-ing, "Boo, boo," and all that sort of thing, to persons who are opposed to them.

5817. Were you not aware of Mr. Jordan's house having been attacked that night?—I heard it afterwards; at the time it took place I was not at that moment there, but as soon as I returned, or shortly afterwards, I was told what had occurred.

5818. I believe you yourself saw stones flying that day, did you not?—Yes, I did.

5819. That is a little more than "Boo, boo"-ing," you know?—Yes; but you were asking me as to the language that was made use of. I did not hear any very particular words that they made use of; but they hooted, and went on "Boo, boo," and all that sort of thing.

5820. Did you hear any threats or anything which left in your mind the impression that threats were used?—I did not hear any threats. I heard no threats of violence, or anything of that kind. I do not know what they said. They were making use of strong expressions; but what they were exactly, I do not know.

5821. You do not call it a peaceable mob, do you?—I do not think that at any contested election in Ireland a mob is ever peaceable; I do not know what it may be in England.

5822. You saw the stones flying; when was that?—In the afternoon. I think the Wednesday. Are we not now on the Wednesday?

5823. Yes?—In the afternoon, I think, of Wednesday they were breaking some windows.

5824. And you saw the stones flying yourself?—Yes; and one was very near hitting me. It went close over my shoulder, and struck the door of a shop to my left.

5825. Pretty hard, I suppose?—Yes.

5826. Were the troops out then?—The cavalry were drawn up near to Simcox's Hotel, I think, at that time, and this was in Peter-street. Here (*describing the position on the table,*) we will say, is West-street, where the cavalry were; and here is Peter-street, at right angles, and there is where they were doing the mischief.

5827. Whose house was being wracked then?—I declare I did not know the people there much. There was a Mr. Rowland, an attorney.

5828. I believe there were three houses wracked there; Mr. Rowland's, his father's, and the brother's?—Yes.

5829. That was on the Wednesday?—Yes. There were a good many panes of glass broken; but breaking a single pane of glass with a stone, you know, makes a very great noise, and a few stones thrown against the windows of course will make a very great noise.

5830. We all know that; the question I asked you was, whether you were present when an attack was made upon these houses with stones?—I was in the street, taking charge of the police.

5831. You saw it done?—I saw some stones; no, not exactly; I was not at that spot, at Mr. Rowland's, when it took place; but I was not far from it.

5832. You confuse me very much, because you just now said that a stone flew very near you; you said it flew over your shoulder, and struck the door; where was that; was that a different house from Rowland's?—It was a different house. I believe it was. I declare I do not know whose house it was.

5833. In addition to the houses of Rowland's, the father, Rowland's the son, and

and Rowlands the brother, there was another house that was racked; was there another house against which they were throwing stones in that street?—Yes; but I do not know whose house it was.

5834. There was another?—Yes.

5835. So that there were four houses in that street that were racked; and those attacks you witnessed?—I saw them throwing stones and breaking some windows.

5836. You witnessed all this, I ask you?—When?

5837. Did you, or did you not?—I saw some of it going on.

5838. Some of it?—Yes.

5839. How much; did you see one pane only broken?—There might have been half a dozen for what I can tell.

5840. You say you saw some of it; was it done before or after you came up?—Before and after; I came up in consequence, to direct the police what to do in the event of anything very serious occurring.

5841. It was a very serious riot then, I suppose?—Yes, as far as that goes; breaking panes of glass.

5842. Did you arrest any one of those rioters?—There were two or three arrested.

5843. *Committee.*] Did you take up any of them?—Myself?

5844. No; not yourself, but with your force?—Yes; two, certainly; and I do not know but that there was a third.

5845. Mr. *Slade.*] Taken up?—There were at all events two taken up.

5846. Did you bail them out?—I did.

5847. Were they ever prosecuted?—At the subsequent petty sessions they were brought up.

5848. Well?—And there was not sufficient evidence to identify them.

5849. At any rate there was nothing done to them; they were discharged?—The case was dismissed; one was an attack upon myself; that is independent of the two I speak of.

5850. We have not got the attack upon yourself yet?—One was an attack upon myself, and the constable failed to identify the man who attacked me.

5851. These two were taken up by your police?—Yes.

5852. Did young Mr. M'Cann come down and give bail for them?—Yes; I understood so; I did not know him before.

5853. But you know him now?—Yes; I recollect now who he was, and I found him quite sufficient bail; and therefore I took his bail.

5854. Where was it that young Mr. M'Cann came and bailed them?—At the office, at the Tholsel; that was the nearest place.

5855. Besides these houses that you have told us of, the three Mr. Rowlands', and the other, whose name you do not remember, do you know that Cuney's house was racked?—I do not know where Cuney lives.

5856. The house in Peter-street, opposite Mr. Kelly's?—I did not see anything take place there.

5857. But did you see that the windows had been smashed in?—Upon my word, I did not observe.

5858. How many houses do you know of your own knowledge had their windows broken and damage done?—I do not know the owners of any of them scarcely; Mr. Jordan's house was, and I was exceedingly sorry for it, because he is a particular friend of mine.

5859. *Committee.*] How many houses did you see, as far as you can recollect, that had their windows smashed in?—Three or four, I think, in Peter-street.

5860. And in other streets how many more?—I did not see any in any other street.

5861. Mr. *Slade.*] Three or four in Peter-street; these others of Rowland's are in Lawrence-street, are they not?—Upon my word, I think it is in Peter-street where Mr. Rowland lives; I am not sure; the houses I speak of were two of them in Peter-street, at all events; and I think there was one house in Lawrence-street, but who the owner was I do not know.

5862. Did you see the Protestant place of worship?—No, I did not.

5863. In Fair-street?—I did not.

5864. Did you see the chapel of ease?—No, I did not.

5865. No place of worship?—No.

5866. The Presbyterian place of worship?—No.

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5867. Were they reported to you as having been demolished, or the glass all broken?—I heard so. It was not officially reported, as well as I recollect; but I heard of it.

5868. Do you know where Mr. M'Cann put up during the election; was he at the hotel where you were?—I am not positive where he was staying. I told you a while ago where the committee of this gentleman were assembled at the time that I was called in, but where he took up his quarters I am not able to say, for he has a house of his own in the town.

5869. You say that Mr. M'Cann has got a residence in Drogheda?—Yes.

5870. Do you mean that he has a residence in which he lives and sleeps, or has he only got this bakery?—He has the house.

5871. Was he not, in point of fact, during that election, living and sleeping at the White Horse Hotel?—Upon my word, I cannot say whether he was sleeping there or not, for I never inquired.

5872. Was he not living there, staying at the hotel; you can tell whether a gentleman is staying at an hotel or not; was not Mr. M'Cann, the Sitting Member, staying at the hotel?—He might have been, but I cannot say of my own knowledge whether he was staying there or not.

5873. *Committee.*] Did you see Mr. M'Cann several times in the day at the White Horse?—No, not several times; I saw very little of him.

5874. Mr. *Slade.*] Did you see him taking his meals at the White Horse?—Not when I was in the coffee-room, unless he had some private room of his own.

5875. *Committee.*] Then your answer is, "I did not see him"?—I did not see him.

5876. Mr. *Slade.*] Nor taking a glass of punch there?—Nor taking a glass of punch there, to my recollection. It is very hard to call upon a person to try and recollect every little incident, such as a man taking a glass of wine or a glass of punch.

Committee.] You have only to say you do not recollect; every one believes everything you say; if you do not recollect, say so.

5877. Mr. *Slade.*] Did you see young Mr. Harry and young Mr. Tom M'Cann a good deal at that hotel?—No, for I did not know one of them; till Mr. M'Cann came to tender bail to me at the Tholsel, I declare I did not know who he was.

5878. You know him now?—Of course.

5879. Knowing him now, did you see that person who called himself young Mr. M'Cann frequently at the hotel taking his meals there?—I do not recollect.

5880. You do not recollect?—No; I can only speak about my own mals there; sometimes I had to get my dinner at nine o'clock at night.

5881. So I understand, in this "peaceable" town?—I thought it my duty to remain with the police.

5882. Did you hear Mr. St. George Smith implore the high sheriff to get protection for the town?—Did I hear him? Do you mean, did I hear what he said?

5883. Yes.—No; implore whom did you say?

5884. The high sheriff?—By-the-by, yes; I went to the high sheriff's house, his shop, to consult with him about the state of the town, when Mr. Smith came into the shop, and he said the town was in a very alarming state, I think; something to that effect; and I said that I was doing, and would do, and was determined upon doing, my best to preserve the peace.

5885. But a representation was made to you by Mr. Smith that the town was in a most alarming state; was that so?—Yes, that is so.

5886. What was said upon that occasion when this gentleman came into Mr. Verdon's shop?—A very few words; he was in a great hurry; it occurred in Mr. Verdon's shop; Mr. Smith said the town was in an alarming state, or something of that kind; and I said I would try to preserve the peace as well as I could; I think that was all the conversation; it was only a few words.

5887. At that time, did not some one come in and say that young Mr. Richard Smith was attacked?—I am not perfectly sure about that.

5888. Do you not remember somebody coming in and saying that young Mr. Richard Smith was attacked?—In that shop?

5889. Yes.—Well, I cannot recollect.

5890. Do you recollect the statement being made to you at any time that young Mr.

Mr. Richard Smith was attacked?—Yes; I think I heard somebody say so; and I went to the police directly to order them to follow me where they told me Mr. Smith was, I think, as well as I can recollect.

5891. I understood you to say yesterday, that when Mr. Mayne tendered you the second information, you thought it better, as you yourself might be included in the term "authorities," that it should be taken before another magistrate?—I put a question to him, he did not deny it or avow it, that he meant me as one of the authorities; but I thought it better to let one of the local magistrates take the information rather than myself, especially as I had already taken one in words very similar to that.

5892. That would be rather a reason for taking the second, I should think, as you had taken the first?—No; because the first did not imply anything against myself as one of the authorities; the second one seemed to imply that I did not do my duty.

5893. You took him down under an escort of four armed police?—Yes; I would have gone myself without any police, but Mr. Cory happened to be there at the time, and I said, "Let us have three or four men;" and Mr. Cory came himself along with Mr. Mayne and me up to the door of Mr. Fogarty, the local magistrate.

5894. What day was this?—The Thursday.

5895. In the morning?—No, it was in the afternoon; I should say past five.

5896. Was the street very full of people then?—Yes; there were a great number of people.

5897. The same character of people?—Yes; but nothing came under my observation at the time of a very serious nature.

5898. I am sure you will tell me the fact if it is so; at this time, though the mob was very great, the excitement had very considerably subsided, had it not?—Yes.

5899. And therefore you thought there was no necessity for Mr. Mayne having this armed police; but he was apprehensive, and you gave it him?—Yes; he said he was afraid to go out amongst them, and I said, "Come along with me, and you shall be protected;" and we went arm-in-arm together talking. We got into conversation as if upon any ordinary occasion and passed through the crowd, and went on to Mr. Fogarty's, and there I left him and came back; and when I came back the crowd were dispersing gradually.

5900. It was a very different sort of crowd on the Thursday afternoon from what it had been on the Tuesday and Wednesday, was it not; it was very large, but not so excited, was it?—No, it was not so excited. On the Thursday I went to the barracks and brought out the military; the men of the 95th, a company of the 95th under Major Macdonald, to let the people see that we had a force, and I brought them into Peter-street. I placed them there in close column, and then I advanced up to the top of it towards the church, and stayed there for a while, and then I brought them down again near the Tholsel, and they stood there, and so on, for a considerable time.

5901. This was on the Thursday?—On the Thursday.

Re-examined by Mr. *Phinn*.

5902. You say you brought out the infantry on the Thursday?—Yes.

5903. Was that to awe the people; not to act against them?—They would not act against the people, except under my express orders.

5904. I asked you the purpose for which you brought them out; but it does not matter. Now about these houses in Peter-street; you speak about two persons being apprehended; was that for throwing stones in Peter-street, or what was it for?—It was for assaults.

5905. Was that at the time you were in Peter-street, when the windows were broken?—Yes, I think it was.

5906. You say Mr. M'Cann bailed them; was that the nephew of Mr. M'Cann?—It was either his nephew or his son, I forget which; I would know which if he were present.

5907. With regard to this Tuesday about which so much has been said to you; are you quite sure whether it was the Tuesday or the Wednesday that you brought the troopers into the street?—Well, I think it was Wednesday; upon my word, I think it was Wednesday.

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5908. One more question: are you aware that Mr. Mayne has stated that you offered him protection after the necessity for it had ceased; are you aware of that?—No.

5909. Did you ever refuse him protection at any time when he required it?—Not to my knowledge; as to his saying that I offered him protection after the occasion for it had ceased, I would say that the moment he tendered the information I offered him protection to go up to Mr. Fogarty's; I offered it to him that very moment; there was no kind of delay; so that if the occasion had ceased, that was his fault, and not mine.

Examined by the *Committee.*

5910. As you were in the town throughout the whole period of this election, you must have seen what was going on; I want to know what you think would have been the state of the town had Mr. Moore gone to the poll?—That is a mere question of opinion.

5911. Mr. Moore retired on the Thursday, when the excitement had subsided?—In a great degree.

5912. Do you feel that you would have had sufficient force about you at any time to give protection to the voters had the election gone on?—I consider that I had quite sufficient, but I wished to have relied upon the civil force before I would have recourse to the military.

James Gibney was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

James Gibney.

5913. Are you a boiler-maker?—Yes.

5914. Living at Drogheda?—Yes.

5915. Do you work as a forger in some ironworks in Drogheda?—Yes, I have been.

5916. Is Mr. St. George Smith a partner in those works?—Yes.

5917. Do you recollect the morning of the nomination?—Yes.

5918. Do you know John Smith?—Yes.

5919. What is he?—He is a mechanic.

5920. What is he in the works?—He is a mechanic in the works; he served his time as a draughtsman.

5921. Did you receive some directions from him?—Yes.

5922. In consequence of those directions were the works closed that day?—No; the works were not closed.

5923. Did the men go out?—It was at breakfast time I met him.

5924. Did the men go out from the boiler works or from the iron works?—We were not in working at the time he met with me; he met with me in the street.

5925. Did you go to your work that day in the ironworks?—Not after breakfast.

5926. Did any of the men go?—Some of them did.

5927. How many stayed away?—There was a great number.

5928. Where did they go to?—They stopped in the streets, and in the Tholsel as well.

5929. *Committee.*] At what hour was the breakfast?—We went to breakfast at nine.

5930. Mr. *Phinn.*] You did not return to your work; where did you go to?—I was going to my work, when I met with this John Smith, and he stopped me in the street.

5931. In consequence of what passed with him did you go anywhere?—Yes.

5932. Where to?—Into the Tholsel.

5933. Had you any instructions what you were to do?—Yes.

5934. Who from?—From this John Smith.

5935. What were you to do?—

Mr. *Slade* objected to the question.

The question was waived.

5936. In consequence of those instructions did you go to the Tholsel?—Yes.

5937. When

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5937. When you got to the Tholsel did you find other men there who had been working in these ironworks?—Yes.

5938. How many of the ironwork men should you think were at the Tholsel?—To the best of my opinion there was about fifty of them.

5939. Were they together in the Tholsel, or were they scattered about the place?—They were scattered in it as many as could get together; there were some in threes and fours together.

5940. When Mr. M'Cann was speaking, what did they do?—There was a great clamour made; a noise.

5941. But who made it?—Some of these men.

5942. The men from the ironworks?—Yes.

5943. What did you do?—I held down my head; I was commanded to cheer at the time when Mr. St. George, and Mr. Moore, and the others were to speak, and I hung down my head.

5944. What were you to do when Mr. M'Cann spoke?—I was not to do anything.

5945. What?—I was not asked to do anything when Mr. M'Cann spoke.

5946. But when Mr. Moore spoke?—That was the direction we received; to cheer.

5947. Did you hear or see any of these men interrupt Mr. M'Cann?—There was a terrible clamour and noise.

5948. While Mr. M'Cann was speaking, what did you hear these men from the iron-foundry do?—These men from the foundry, some of them was talking loud and making a noise.

5949. Do you know a man named Kimmins?—Yes.

5950. Was he there?—He stood in the street all the time.

5951. In the street?—Yes.

5952. What is Kimmins?—A timekeeper.

5953. At the factory?—Yes.

5954. Did you see, when the nomination broke up, what the men who came from the factory did; where they went?—They came out to escort Mr. St. George and Mr. Moore, and all these, up to Mr. Kelly's.

5955. Do you know a place called Joe Harris's, in Peter-street?—Yes.

5956. What is it?—A public-house.

5957. Did you go there yourself?—I did.

5958. Did the other men from the factory go there?—Yes.

5959. Did you have anything?—Yes.

5960. What?—The men got anything they wanted, and I took a bottle of ginger beer and some cordial in it.

5961. And did they have drink?—Yes.

5962. The other men?—Yes.

5963. Did you pay for it?—No.

5964. Who paid for it?—I do not know who paid for it.

5965. Did the men get their wages for that day?—I did not; it was promised to me, but I did not get it.

5966. Why not?—I do not know; they were not satisfied with the conduct of the men, particularly with me, I believe.

5967. They were not satisfied with you for what?—Because I did not make noise enough and cheering.

5968. Did those who made a noise and who cheered get their wages?—I do not know.

5969. Do you know Mr. M'Dougall?—A printer?

5970. Yes.—Yes.

5971. Do you recollect seeing him the evening before the nomination?—Yes.

5972. What was he doing?—There was a mob round the door, and he gave them some money.

Cross-examined by Mr. *Slade*.

5973. Did they bring you all the way from Ireland for the purpose of proving that you were sent into the Tholsel to cheer for Mr. Moore; that is what you were sent into the Tholsel for; did you cheer lustily?—I did not.

5974. You did not do what you went for?—No, I did not.

5975. Why did you not cheer?—Because I did not hold with them in politics.

5976. You were a "M'Cannite"?—I do not know what I am.

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5977. No more do I.—As far as Mr. M'Cann goes, I did not hold with him in politics.

5978. Upon your oath, did they not refuse to pay you because you had been out that day without leave?—Sir?

5979. Upon your oath, did they not refuse to pay you because you had been out that day without leave?—No, sir.

5980. You swear that?—I swear that.

5981. What did they say?—I did not ask Mr. Macree for it, nor yet Mr. St. George Smith; it was this man that stopped me who told me we were to be paid our day, and that the works were to be shut; he said that the men might as well stop out, as they would not be allowed to work if they did go to the works; he was directed, he said, by Mr. Frederick Smith.

5982. What was the reason that was given to you for not paying your wages after that?—I heard no more than that they were not satisfied.

5983. Did you ever ask for your wages?—Yes.

5984. Who?—This Smith that had stopped me in the street coming back from my breakfast; I was going to my work when I was stopped by him.

5985. *Committee.*] The question is, what was said to you when you did not get your wages?—There was nothing told me.

5986. Mr. *Slade.*] Did you ever ask the paymaster, whoever he may be, for your wages for that day?—No, I did not.

5987. And the works were not stopped?—The works were not stopped.

5988. I suppose John Smith knew very well that you did not go along with Mr. Moore in politics?—I do not know; I am on my oath; he said he received orders from Mr. Frederick Smith to stop all the men he could meet with, to form a mob to cheer Mr. Smith and Mr. Moore into the Tholsel, and to get as convenient into the Tholsel for them as possible for the same purpose.

5989. You are not in their employ now?—No.

5990. Have you ever been in their employ since that day?—Since the election day?

5991. Yes.—Yes.

5992. How long were you in their employ afterwards; when were you discharged?—I was not discharged.

5993. When did you leave them?—About a month since, I think.

5994. And you have been paid for every other day but that?—Yes.

5995. Is there anybody else up from the works besides you?—I am not aware of it.

5996. Who told you to come up?—I was sent for by a letter.

5997. Since this inquiry has been going on?—It was the other day I received it.

5998. How long ago?—This is Thursday; on Tuesday, last Tuesday.

5999. The day before yesterday?—Yes. I have got the letter in my pocket; I was sent for to come.

Re-examined by Mr. *Phinn.*

6000. Did Smith say anything to you about wages?—He said the men were all to be paid their day; he said we would not be paid and would get nothing, if we went to work, and that we would be paid our day for going for that purpose.

6001. Did you afterwards apply for your pay?—I did.

6002. Did you get it?—He said it would not be given to us, and I asked him why. I was at him repeatedly, day after day, for three weeks; and he said that I did not do what I was commanded to do; that they had had confidence in me that I would lead the men on better than I did; and that they would not give it me.

6003. Who is the Mr. Frederick Smith you have mentioned?—A son of Mr. St. George Smith.

[The Witness withdrew.

The Rev. *James Macken* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

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6004. ARE you a Roman-catholic clergyman at Drogheda?—Yes.

6005. How long have you been there?—Seven years.

6006. Who is your immediate superior?—Dr. Dixon.

6007. Is he the Roman-catholic archbishop?—Yes.

6008. I must not say of any place, but he is the Roman-catholic archbishop; are you well acquainted with the lower class of the population of Drogheda?—I am.

6009. Did you sign the requisition, as it has been called, or the list of the committee of Mr. M'Cann?—No.

6010. Did you attend at any time, and address the people from the balcony?—Yes, on one occasion.

6011. On what day was that?—On Tuesday evening, the day before the nomination.

6012. Do you remember what time it was?—I suppose it was between eight and nine o'clock in the evening.

6013. Did you only address them once on that day?—Only once individually. I did not address them at any other time; only once during the whole election.

6014. Do you recollect whether there were any of your brethren there?—Yes.

6015. Who?—The Rev. Mr. Montague was there; I do not recollect whether any of the others were there or not at that time.

6016. Had you been there on the Monday?—On the Monday evening?

6017. Yes.—I was.

6018. You did not address the crowd then?—No.

6019. Who did, of the clergy?—The Rev. Mr. Montague, the Rev. Mr. Hanratty, and the Rev. Mr. O'Sullivan; that is all, I think, on that evening.

6020. On the Monday evening, I will ask you how were your brethren dressed?—As I am at present; the ordinary dress we wear.

6021. Not in your robes?—No; we do not wear those things outside the church.

6022. Can you give the committee the purport of what they said on the Monday evening?—It is difficult to recollect the words.

6023. And, therefore, I carefully ask you the purport?—I recollect their commending Mr. M'Cann's claims; putting forward Mr. M'Cann's claims on the constituency of Drogheda; that was the great object, and showing that the other party could not represent the principles or the feelings of the great bulk of the people of Drogheda; that was the purport of it; warning the people against bribery; that was the object of speaking at all; to prevent bribery.

6024. From your knowledge of the population of Drogheda, did you think that bribery was a desirable topic upon which to address them?—Certainly.

6025. Do you remember any expression on the Monday evening about the Boyne running red with the blood of their forefathers?—I did not hear that expression.

6026. Did you hear any incitement to violence?—No; on the contrary, they were advised to remain peaceable and quiet, but to resist bribery; not to be induced to vote contrary to their conscience on account of money.

6027. Do you remember this expression proceeding from anybody, that those who voted for Mr. M'Cann would vote for their priests, for their country, and their God; and that those who voted for Mr. Moore would vote for the devil?—I am quite certain that no clergyman made use of that expression.

6028. Were you there the whole time?—I was.

6029. That was on the Monday evening?—Yes.

6030. On the Tuesday you yourself addressed the people?—Yes; I addressed a few words to them for about five minutes.

6031. Are you used to addressing people in public?—No, except in the church.

6032. Had you ever ever made a public speech before?—Never; I was quite unwilling to do so even then.

6033. Can you recollect, I will not ask you the exact words you used; that would be unfair; but can you recollect the purport of what you then said?—It

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was just the same as I have given you with regard to the others; it was putting forward Mr. M'Cann's claims; that he was a resident in Drogheda; that he was a charitable man, and various things of that sort; that he supported the charitable institutions of Drogheda,

6034. Anything else that you recollect?—There may have been other things of that nature.

6035. Did you yourself make any reference to the nunneries, do you recollect?—I think not; I did not.

6036. Or did you refer at all to what is called the "supers"? Yes, I did.

6037. Do you recollect what you said?—I said a very few words about the "supers."

6038. Can you recollect what it was that you said?—I think the words I used were that we would have no superism.

6039. We have heard what superism is; had there been recently in the town a good deal of religious excitement?—It has been going on for the last five years, or thereabouts.

6040. There had been scripture-readers there, I think?—Yes, and placards.

6041. Pasted on the walls?—On the walls over the town.

6042. Of what character?—Of a very insulting character to my feelings, and to the feelings of the Catholics.

6043. Do you remember any reference to your religion as "idolatry"?—Yes; I remember to have seen that on a placard.

6044. And did you refer to that in your speech?—No.

6045. Did the other Roman-catholic clergy address the persons assembled on that evening?—Yes.

6046. Do you remember what the purport of their remarks was then?—Much the same.

6047. Did you observe that the crowd became excited with what you said?—They cheered as they do on all these occasions; nothing more.

6048. Do you remember a person of the name of M'Cabe addressing them?—I was not present when he addressed them.

6049. When you were addressing them, did you see any troops brought up?—No.

6050. On the Tuesday evening, while you were in the balcony, were any troops brought up?—I did not see any.

6051. Was any observation addressed to you by any of the magistrates, or by any of the people, complaining of your addressing the multitude?—No.

6052. Was any complaint made to you by any of the authorities of the town after this evening of the tendency of your remarks?—No.

6053. Were you dissuaded by anybody from addressing the mob?—No.

6054. Were you by any of the constituted authorities?—No.

6055. Had you been at chapel on the previous Sunday?—Yes.

6056. Had you addressed the people at all on political topics then?—No.

6057. I believe you are a voter for the borough?—Yes.

6058. Was it in the capacity of a voter that you addressed the inhabitants?—It was in the capacity of a voter; I did nothing that a layman might not do, and what many of them did do.

Cross-examined by Mr. *Slade.*

6059. Did you ever address an election meeting before?—No.

6060. Were you ever at an election before?—I was.

6061. Where was that?—In Drogheda in 1852.

6062. The priests did not address the mob then?—No; there was no occasion.

6063. Was there an occasion, then, now?—We thought so.

6064. I suppose you thought that your religion was in a little danger?—No.

6065. Then what made you think it was necessary to address the people?—We thought that the morality of the people was more or less in danger by having them exposed to bribery, and we wished to prevent that.

6066. Do you mean to represent that the chief burthen of your speeches was against apprehended bribery?—Yes.

6067. Can you tell us what you said about bribery yourself?—I told the people not to be induced to take a bribe, but to vote conscientiously, and not to vote through the inducement of a bribe.

6068. What

6068. What has bribery to do with superism?—I am not aware.

6069. Then the superism had something to do with religion?—Certainly.

6070. Did any one go and do your duty at the churches while you were haranguing the mob?—There was no duty to be done by us at the time.

6071. The vespers?—There were no vespers during the week.

6072. Then the clergy had no duty to perform?—The clergy addressing the mob had none.

6073. Is it true that at different times in that balcony, there were Father Montague, yourself, and Father Powderly?—That we were there?

6074. Yes?—The only time that I was on the balcony was when I was speaking.

6075. Did you hear the other priests speak?—Yes.

6076. Where were you then?—Under the balcony.

6077. Among the crowd?—Yes, at the door of the hotel.

6078. Did you hear Father Hanratty?—A portion of his address; not all.

6079. Did you hear all Father Montague said?—Yes.

6080. And Father Powderly?—I did not hear him at all.

6081. Was Father Montague's address about bribery too?—Yes, a portion of it.

6082. Did he talk about the "supers"?—Yes, I think he did.

6083. Did Father Hanratty talk about supers while you were there?—Not while I was there.

6084. What was the object of Father Hanratty's address?—Recommending Mr. M'Cann's claims, as well as I can recollect.

6085. Was there anything said about bribery in his address?—There was.

6086. You seemed to be terribly afraid of bribery; was there any bribery in 1852?—No; there was no opposition to Mr. M'Cann in 1852.

6087. You say, I think, that you are quite sure no priest said, "If you vote for Mr. M'Cann, you will vote for your priests, your religion and your country; and if you vote for Mr. Moore, you will vote for the devil"?—I am quite sure I did not say it myself, and I am also sure that it was not said in my presence.

6088. Not by anybody?—Not in my presence.

6089. By any layman or priest?—My answer is that it was not said at all in my presence, and therefore, of course it was not said by any layman or priest.

6090. Did you say, "If the people voted against Mr. M'Cann, they would vote against their religion and God Almighty"?—No; I have stated already that I did not say that.

6091. Was that said in your presence?—It was not.

6092. By anybody?—By nobody.

6093. I suppose you will not undertake to say that it was not said?—I cannot swear to anything except what I heard.

6094. Who asked the priests to come up and speak?—There were two or three persons asked me, but I do not recollect their names at present; I remember I was unwilling to go.

6095. Why should you have been unwilling to go?—Because I was not accustomed to do anything of the sort; I did not like to appear in public in that way; I probably thought myself not qualified to address a crowd, not having had any experience that way.

6096. You were rather modest; you went the first day, nevertheless?—I was there.

6097. And speaking?—No.

6098. When did you speak, then?—On the Tuesday evening.

6099. And you heard your brethren speak on the Monday?—Yes, and on the Tuesday evening.

6100. Were you the first who spoke on the Tuesday evening?—No.

6101. Who spoke before you?—Mr. Montague.

6102. And you had spoken?—Yes.

6103. How long was your address?—Between five and seven minutes.

6104. Was Father Montague's longer?—I think it was; it might have been a quarter of an hour.

6105. Did Father Hanratty speak that night?—Yes.

6106. Was his a longer speech?—No, I think it was not more than 10 or 12 minutes.

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6107. Did any other priest speak that night?—I think Mr. Powderly spoke, but I did not hear him; I was not present.

6108. Then you would have all four gentlemen haranguing the mob that night?—And several others, of the laity, besides.

6109. Did the priests follow each other in their addresses?—No.

6110. How was that arranged?—There was no arrangement at all; when one person had done speaking, some other person took his place.

6111. Took up the fire?—I do not know what you may call it.

6112. How long did it last?—I suppose from after eight o'clock till half-past nine.

6113. On Tuesday?—On Tuesday.

6114. Were not the priests in the balcony addressing the people as early as four o'clock upon the Tuesday?—No.

6115. If Mr. Derinzy has told us that, that is quite a mistake?—It is quite a mistake.

6116. Did you not see the troops when you were speaking?—No.

6117. On the Tuesday?—No, I did not.

6118. Will you venture to say that the troops were not there while the priests were speaking?—I do not know whether they were or not; it was quite dark at the time.

6119. There was gas, I suppose?—No; the gas was not lighted at that particular place.

6120. Do they not light the gas there?—Yes, but there was none there then; it was quite dark at the time.

6121. We are falling into great errors, I am afraid; were not the priests addressing the people while it was broad daylight?—On the Tuesday?

6122. Yes?—No, they were not.

6123. That you will undertake to say?—That I will, certainly.

6124. Were they not, on the Monday, addressing them in broad daylight?—No.

6125. At any time, then?—No, not in daylight.

6126. Did the priests all go down in a body, or did they come separately?—I do not know whether they did or not; there was no priest with me or near me when I was going down.

6127. I wish you would recollect who it was who asked you to come and speak?—I cannot recollect; there was a large number in the room at the time.

6128. Where were you at the time when you were asked to speak?—In the room of the hotel.

6129. In the committee-room?—I do not know; it was not a committee-room, I think.

6130. Was it a room out of which the balcony came?—Yes.

6131. What took you down there; did anybody ask you to come down there?—No person; I went of myself.

6132. To take a part in this?—To be present and hear the speeches; some of them, at least.

6133. And then somebody came from the balcony and pressed you to speak?—Yes.

6134. Had you the permission of your superior, Dr. Dixon, to make speeches at elections?—No.

6135. Is it usual for Roman-catholic priests to make speeches to electors?—On some occasions they do.

6136. There were none in 1852, you say?—No.

6137. I suppose you had heard of the success of the speeches at Mayo?—I do not know to what speeches you refer.

6138. The speeches of the priests to the electors?—

It was intimated to Mr. *Slade* that the Mayo election did not take place until after the election at Drogheda.

Re-examined by Mr. *Phinn.*

6139. I believe you were brought here by the other side, were you not?—I got a warrant; I was not served with any subpœna afterwards.

6140. You

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6140. You say that in 1852 there was no occasion for you to address the people?—Yes.

6141. Were you under any apprehension of bribery being used?—No.

6142. On this occasion were you?—Yes.

Examined by the *Committee.*

6143. I suppose it is not usual to request permission from your superiors before you address the public in elections?—No.

6144. You may do it without permission?—Yes; and if we act improperly, of course they reprimand us afterwards.

6145. You were asked if you asked permission?—I did not ask permission at all.

6146. You did not consider it necessary to do so?—No.

6147. Being a voter?—Yes.

[The Witness withdrew.

The Reverend *Patrick Hanratty* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

Rev. *P. Hanratty.*

6148. ARE you a Roman-catholic clergyman at Drogheda?—Yes.

6149. Do you reside in the archbishop's house?—Yes.

6150. Are you a voter?—Yes.

6151. Did you, on the Monday, address the people from the balcony?—I did.

6152. Did you do so on the Tuesday?—I did.

6153. Did you do so on more than those two occasions?—I did; on the Wednesday after the nomination.

6154. I will ask you, first, can you give us, on the Monday and the Tuesday, the general tendency and scope of your remarks: I cannot ask the very words?—My remarks were very short. The object of my remarks was to induce the people not to be bribed on the occasion of this election; to vote according to their conscience; to avoid anything like rioting; to be peaceable; to vote for a man who would serve the community, who was well known to the community, and respected by all denominations of the community; to avoid voting for persons who were known to be opposed to the popular interest, the Liberal interest, the interests of the town. I spoke not more than about 12 minutes, I think; I did not intend to make a regular speech.

6155. *Committee.*] Was this on the Monday?—On the Monday and Tuesday. That was the general tenor of my observations to the people.

6156. Mr. *Phinn.*] Do you remember making any reference to the nunneries?—Yes.

6157. Had Mr. Chambers's Bill for the inspection of nunneries been a subject of much discussion among the Roman-catholic community?—Yes.

6158. And it had excited, I believe, a very strong feeling?—Yes; it was supposed that a stranger was coming to the town who would be likely to vote on that question with a Mr. Spooner, against Maynooth, and against the interests of nuns; and I stated that the nuns were very serviceable to the town in teaching the poor, and that they should not be disturbed; that they had rendered services to all classes in the community, and that therefore those who would vote against those useful institutions should not be entitled to the support of the constituency.

6159. How many nunneries are there in Drogheda?—There are four.

6160. In Drogheda and the neighbourhood?—Four.

6161. Do you remember using any expression with regard to the Smiths, that they had "forged chains," or anything of that kind?—I never said anything of that nature.

6162. Did you say that the battle of the Boyne was to be fought over again?—I do not recollect it.

6163. Are you used to public speaking?—I am used to preaching, but not speaking in public meetings; I never interfered in an election before, and I did not take the initiative in this election; I never had a vote before; some of the voters called upon me, and said they wished to discuss the merits of the candidates; great confusion they said would arise in the town if there were a contest; it was clear

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clear to us that unless undue influence were made use of, Mr. M'Cann could never be beaten by a stranger.

6164. When you speak of "undue influence," what kind of influence do you refer to?—Principally bribery.

6165. Were you aware that some Roman-catholic gentlemen had adhered to Captain Moore's side?—Yes.

6166. How many?—There was a Mr. Verdon and a Mr. Hammond, and a Mr. Jordan; those were the only three whom I now recollect as having anything to do with Mr. Moore's canvass.

6167. In the course of your speech, did you make any comment upon them personally?—Not personally; I never mentioned their names during all my speeches.

6168. Did you refer to them?—I did not; I referred to them as a class in a general way; I said that there were parties amongst us who, if they divided from the general view, were corrupt men, that they were renegades to their former principles, and that if they had changed their politics, they were as little to be trusted as the Conservatives; that the Conservatives were to be respected for their consistency, but that these men were contemptible for changing their politics.

6169. Did you advise anyone not to mix with or deal with anybody who espoused Captain Moore's side?—I never did.

6170. Did you promise a dispensation to the women?—I never made use of the word "dispensation" at all during the entire election, or before or after the election, or when the election was spoken of.

6171. Did you say that a man who voted for Mr. M'Cann, voted for his country, his religion, and his God, and that whoever voted for Mr. Moore, voted for the devil?—I never made use of such profane language; I am not accustomed to such language.

6172. Are you quite sure you never did?—There are certain things a man may be doubtful about, but I can have no doubt about that.

6173. Was that expression used by any priest in your hearing?—I have never heard any priest use it; but I know this, that all the priests to whom I have been speaking have repudiated the language, and they considered that it came from some wag, who attributed such language to the priests, thinking that it would be a good point to put in a petition.

6174. You, I believe, seconded the nomination of Mr. M'Cann?—I did.

6175. At the Tholsel?—Yes.

6176. Previous to the Wednesday, either on the Monday or the Tuesday, did you see the soldiers?—Yes, I did.

6177. Whilst you were speaking?—Whilst I was speaking.

6178. Where were they?—Coming up from the narrow part of West-street, towards the place opposite to Coppock's hotel.

6179. What day was it, do you recollect?—I am not quite clear about the day. I would not swear to the day.

6180. Was it Monday or Tuesday?—I think it was one of those days; but I cannot say which.

6181. Do you recollect at what time in the evening?—About half-past seven in the evening.

6182. Do you recollect at what time the speeches commenced on the Monday?—About the same hour.

6183. And at what time did they terminate?—About half-past eight.

6184. What time did they commence on the Tuesday?—About the same hour.

6185. And what time did they terminate?—About the same hour.

6186. *Committee.*] At what time do you say they began?—At about half-past seven. I do not swear as to the exact time.

6187. Mr. *Phinn.*] Did you address the multitude at all during daylight?—I did immediately after the nomination on the Wednesday the 1st of April.

6188. Did you address them on the Monday and Tuesday during daylight?—No.

6189. Did you hear any priests address them during daylight on the Monday or Tuesday?—No.

6190. With reference to violence; did you say anything to the crowd?—I told them to avoid all manner of rioting; to be charitable; not to commit a breach of the peace, and to avoid bribery and corruption.

6191. On

6191. On the Monday or the Tuesday was any application made to you by any person, any magistrate or person in authority in the town, as to the state of the town?—Will you repeat your question, if you please?

6192. Was any application made to you by any magistrate on the Monday or Tuesday with reference to the peace of the town?—I do not recollect it.

6193. Were any remarks addressed to you against your speaking to the multitude?—No person, that I recollect, has spoken to me about my speeches; no person has censured them, except when there was a petition pending.

6194. On the Wednesday you seconded the nomination of Mr. M'Cann?—Yes.

6195. Do you recollect the tenor of your speech then?—I do.

6196. Can you give it to the Committee?—I stated that we had been very successful; I forget the exact words, but I said we were very successful on that day; that those persons who claimed the suffrages of the constituency would scarcely be heard by those persons whose votes they claimed.

6197. That was after the nomination?—Yes.

6198. I am asking you about your speech at the nomination?—I do not recollect the exact words, but I think the tenor of my speech, or my few observations, was this: I stated that I seconded the nomination of Mr. M'Cann on grounds that were creditable to us, honourable to him, and—I forget the exact words—but that I recorded his nomination on grounds that were honourable to him and creditable to those who took up his cause. I stated, that those who were against us were persons opposed to the popular cause, and that Mr. M'Cann served the town very much, and deserved the support of the constituency. I forget exactly all I stated; but the great object of my speech was to impress upon the people the necessity of their being united, and not to take bribes, but to vote according to their conscience. I said, that an attempt would be made to bribe them; I said, that I suspected that persons would, on the part of Mr. Moore, make promises, which promises they would not afterwards fulfil; that we suspected them; that we suspected Mr. Moore, first, because he was a stranger, and secondly, on account of the persons who brought him forward, who were, as I believed, opposed to the popular interests; that those persons were somewhat troublesome, and were not serving the interests of the town generally. I said, we knew nothing of this stranger, and that we knew Mr. M'Cann very well, he having done a good deal for the charities of our town; and I also stated that Mr. M'Cann was a man against whom no person of any denomination could, I thought, have any objection, because he was a man that I considered was popular, and respected by all denominations in the town.

6199. Were you interrupted during your speech?—I was, twice; I was obliged to call for a hearing twice.

6200. Who interrupted you?—I do not know the names of the parties; but there were two or three troublesome fellows on the other side of the court-house, Harris and Cuney; though they had very few on their side, they appeared anxious to bully the whole court-house. Mr. Brodigan was standing there, cheering himself, and four men who were standing by him, and he was pointing his umbrella against the entire crowd, and huzzaing for himself and his four men.

6201. After the nomination, we hear you addressed the people?—After the nomination I addressed the people. My object in addressing the people was because I believed, on account of the vast numbers that were assembled, it would be impossible but that some little disturbance would take place unless some words were addressed to them. There was a little noise about the court-house, and they were remaining there after the business of the nomination was over; and for the purpose of bringing them together, and giving them advice, I told a few outside the court-house that I had a few words to say to them. I did that for the purpose of bringing them away from the court-house. I went down to the balcony at Coppock's hotel, and addressed the people there, and told them that we, as far as we had gone, had been very successful, and that there was no chance of defeating us, except in one way, that is, if they would violate the law, or allow a division to take place in the popular and liberal interest; and therefore I exhorted the non-electors to advise and say what they thought right about voting according to conscience, and to avoid bribery; that was the general tendency of my observations. I spoke out, I think, about 10 or 11 minutes.

6202. *Committee.*] Was that at the White Horse?—That was at the White Horse.

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6203. Mr. *Phinn.*] During the Wednesday, had you an opportunity of observing the state of the crowd?—I had; I was among the crowd all day, backwards and forwards.

6204. What state was it in?—There was a great deal of laughing and cheering, and huzzaing; but there was no violence that I saw.

6205. Did you see any windows broken?—No.

6206. Did you see any windows that had been broken?—There were some windows in a school in Fair-street that had broken panes in them a long time; in passing through the street, I saw that some panes of glass in some school-house were broken.

6207. Did you see Mr. Jordan's windows?—His windows were broken.

6208. And Mr. Rowland's windows?—I did not pass by them, or if I did, I did not observe them. I do not know whether I passed by them or not; if I did, I know I did not observe his windows; I was not much in that street.

6209. It has been said that Captain Moore retired, under the apprehension that if he proceeded with his candidature lives would be lost; are you of opinion that with the force that there was there, that apprehension was justified or not?—There was no apprehension whatever, at least I think there should have been none; any person might be apprehensive if he chose, but I think there were no grounds for fear.

Cross-examined by Mr. *Slade.*

6210. I suppose, in your opinion, there was no ground for alarm during any part of the election?—There was no ground for extraordinary alarm; there might have been in the very large crowd some little rioting; there may be that at a common market or fair; but I do not think there was anything extraordinary.

6211. I ask you to tell this Committee whether, in your opinion, there was any well-founded ground for alarm?—What do you mean by "alarm;" a child may be alarmed?

6212. You answered this gentleman (Mr. Phinn) very pleasantly; do so to me?—I must know your question before I can give an answer to it; you asked me whether there was "any well-founded ground for alarm;" I am on my oath; I say a child might be alarmed; if you will tell me the sort of alarm you refer to, I will answer you at once.

6213. Do you think there was any ground for alarm being fairly raised in the mind of the stipendiary magistrate?—What sort of alarm do you speak of; I have not been talking to the stipendiary magistrate about alarm.

6214. Do you think there was any ground for apprehension as to the peace of the town?—I think not.

6215. Do you consider that there was any necessity for calling out the troops?—I do not think—I think it is necessary always, when there is a crowd, that there should be some troops, no doubt.

6216. Will you answer my question?—What is your question?

6217. Do you think there was any necessity for calling out the troops?—I do not think there was; I did not understand your question at first; I did not hear it distinctly; I understand it now.

6218. Who asked you to go down and speak at the White Horse hotel?—No one asked me to go.

6219. Did you volunteer?—Yes.

6220. Did you ask your brother priests to go down?—I did not.

6221. None of them?—I did not.

6222. Did you speak on the Monday?—I did.

6223. On the Tuesday?—Yes.

6224. Did you see the soldiers on the Tuesday while you were speaking?—I mentioned before, that I am doubtful about the day; but I saw them on one or other of the two days, either the Monday or the Tuesday.

6225. Did you call upon the people to vote for their priests?—I did not.

6226. Did any of the priests, in your presence, call upon them to vote for their priests?—They did not.

6227. Nothing of the sort?—How do you mean "nothing of the sort?" if it is the same question, I will answer it in the same way; but is it the same question?

6228. Was there nothing of the sort said; calling upon them to vote for their priests?

priests?—The question is ambiguous, and I must know what it means before I answer it. Rev. *P. Hanratty.*

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6229. Was there anything that would lead to the inference that you called upon them to vote for the priests?—No;—to vote for their priests?

6230. Did you tell them to vote for their religion?—I did not; I told them to vote on the side of their religion; in favour of their religion; voting "for" their religion and "on the side of" their religion are different matters.

6231. You told them to vote in favour of their religion?—Yes.

6232. Did you tell them that if they voted against Mr. M'Cann, they would be voting against their religion, and against God Almighty?—No, I did not.

6233. Nothing of the sort?—I cannot understand that question; it is an unintelligible question; I am on my oath, and I must be sure of what I say.

6234. You must understand what I mean by "Nothing of the sort;" are you quite sure that you never told them to vote for their priests?—I was asking the people to vote for Mr. M'Cann, not to vote for the priests; I said that those who voted for Mr. M'Cann were for the priests, were on the side of the priests, were on the side of right, and on the side of all well-minded people in the community; but I never asked anybody to vote for a priest, for there was no priest in the field.

6235. That is no answer to my question; are you quite certain that neither on the Monday or the Tuesday, either you or any priests addressed the people from the balcony of the White Horse Inn during daylight?—I am certain of that.

6236. If it has been said that you did, that is a mistake?—I think so; according to my recollection, the speeches were made on the Monday evening, the Tuesday evening, and the Wednesday evening.

6237. Did you ever take part in an election before in this way?—Never.

6238. How long have you been in Drogheda?—About 11 years.

6239. What did you do in the election in 1852, nothing?—There was very little required to be done then; I had no vote then.

6240. Was it a suggestion of your own, that you should go down and make speeches from the balcony of the White Horse?—We talked over it; there were several voters talked over it, and said it would be well to discuss publicly the merits of the candidates.

6241. And for the priests to come forward?—It was not used in that way; we met together on several occasions.

6242. Was it not suggested that it would be as well that the priests should come forward and address the people?—It was never put in that way; as far as I can recollect, there was never a request made in that way.

6243. How was it made, then?—I cannot exactly say how it was made, but it was talked over a few days previous to the election; and it was suggested that it would be well for the voters to show that the great majority of the constituency was for Mr. M'Cann, so as to prevent a contest, and the confusion that would be consequent upon it.

6244. You say you seconded Mr. M'Cann; were you asked to second him?—I was.

6245. By whom?—William Boylen said it would be well if I would second him; "Very well," I said, "I will."

6246. Do you recollect the speech you made?—I do not recollect it all.

6247. Was it written out?—How written out?

6248. By yourself?—The speech I delivered was not written out.

6249. But had you a speech ready written out?—I had a few notes before me; I got a very short notice and put down a few things on paper, intending to make a few observations on the notes I took down.

6250. Have you got them?—I have not.

6251. Have you destroyed them?—They have gone.

6252. Did you speak to the people from the balcony from notes?—I did not.

6253. Then, I suppose, you are not enabled to say exactly what you did say from the balcony?—I know exactly the tendency, and tenor, and substance of what I said.

6254. Did you enlarge much upon bribery?—I did.

6255. Was that the principal topic of your speech?—Yes; it was bribery, and corruption, and division, among the Liberal constituency.

6256. In the Tholsel during the nomination, you say you were interrupted by three or four men?—I was interrupted on two occasions; that is what I stated before;

Rev. *P. Hanratty.* before; that I was interrupted twice during the few observations I made on the occasion of the nomination.

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6258. Did Mr. Brodigan's?—No.

6259. Did they get any hearing at all?—I was not present, and I cannot say; because when I had finished my observations in seconding Mr. M'Cann, I retired to a closet that was attached to the court, and therefore, on account of the great crowd that there was, I could not see what was going on in front of the court. I heard a good deal of noise; there was a great deal of cheering and noise, but I could not see the movers or seconders while they were attempting to speak.

6260. Do you not know very well that they did not get a hearing?—I am stating what I know myself; I could not see what was going on.

6261. But you might hear?—I heard a great deal of noise.

6262. Did you hear any speech proceeding from either of the proposers or seconders of Captain Moore or Mr. Brodigan?—I did not hear the speeches.

6263. Did you witness any stones flying in the court-house?—I saw none.

6264. Or an ink-bottle?—I saw none.

6265. Did you see anybody spit on?—No, I did not.

6266. Or clothes torn off people's backs?—No, I was out of the way; I was not present, and therefore could not state what occurred.

6267. After the nomination were the crowd very quiet?—Well, they were very quiet, I think; peaceable; they were very noisy.

6268. Noisy, but peaceable?—I mean by "peaceable" that they did not strike any one; I saw nobody struck. They might be peaceable, though noisy, to some extent; they were peaceable, in the sense of keeping the peace.

6269. Do you know whether the priests were called on to obtain a hearing for Captain Moore's friends on the nomination?—I am not aware that they were; I was not called upon.

6270. Were you all there?—I saw two.

6271. Who were they?—The Rev. Mr. Montague, and the Rev. Mr. Macken.

Examined by the *Committee.*

6272. Did Mr. Mayne, at any time after the election was over, thank you for the conduct of the Roman-catholic priests?—I do not recollect it; he did not.

6273. Did any person on the part of Mr. Moore, or of his friends, thank you for the general conduct of the Roman-catholic priests?—There were no formal thanks tendered to me.

6274. You do not remember any thing of the kind?—No.

6275. Mr. *Phinn.*] You were summoned by the petitioners, I think?—I was summoned by the petitioners.

6276. Mr. *Slade.*] But you were not notified by the petitioners?—No, but I got a Speaker's warrant.

6277. You got a warrant that intimated to you that if your presence was required you would be notified?—Yes; the person who delivered that warrant to me stated that the next notice would be accompanied by a sum of money.

6278. And you never had that from the same side who gave you the warrant?—No.

[The Witness withdrew.

The Reverend *Francis Montague* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

Rev. *F. Montague.* 6279. I BELIEVE Father Powderly has been left at Drogheda to discharge his spiritual duties, while you three gentlemen have come over?—Yes; there are four curates, and he is obliged to wait behind.

Cross-examined

Cross-examined by Mr. *Slade.*

6280. Were you at the meetings at the White Horse Hotel during the election?—I was there occasionally during the election.

6281. Did you address the people from the balcony?—Yes; I said a few words to them occasionally.

6282. On what subject did you address them?—The course of my observations was in connexion with the election that was approaching, and the purport of them all was to dissuade them from selling their services for money to a party whose principles they did not approve of; that was the purport of what I said.

6283. Was anything said by you about their voting for their priests, their religion, and God Almighty?—Not a word; I never said that they should vote for God Almighty. I think the expression is both coarse and impious, and quite unbecoming in a clergyman of any religion in the world; I never asked them to vote for their priests; I did not stoop to do so. I did not appear there as a priest, but as a voter.

6284. Then your answer is in the negative?—My answer is this: I did not say during the election, at any time publicly, that the people who should vote for one or the other would vote for or against God Almighty; I did not at any time call upon them to vote for their priests; but I did say that a man who voted for Mr. M'Cann would vote for his country and his religion.

6285. And did you add, that a man who voted for Captain Moore would vote for the devil?—No, not the whole time; I never mentioned the devil's name; he had nothing at all to do with the election, I hope.

6286. If it has been said by various witnesses that the priests called upon the crowd to vote for their religion, their priests, and God Almighty, and that if they voted for Captain Moore they would be voting for the devil, it is an entire misapprehension?—I will not say it is a misapprehension either, for it might, perhaps, be worse than that.

6287. Perhaps it is an invention?—It might be that, too; I am not sure. This much I know, that a man may state that he has been in a crowd, and has heard something said there which he may repeat to another, who was his companion in the crowd, and they may both state that they heard it, and they may repeat it to others, who may be bold enough to say that they heard it too.

6288. We do not take things in that way here?—No; but they might think themselves justified in making the statement.

6289. Are you of opinion that the town was in a peaceable state on those three days, the Monday, the Tuesday, and the Wednesday?—Why, on Monday the town was in a perfectly peaceable state.

6290. How was it on Tuesday?—On Tuesday throughout the day it was peaceable, quite peaceable, so that people might go here and there. Business was going on. I saw no violence offered to any man during the Tuesday. I was in the principal streets in which the people would gather if they were assembled at all; I passed through them, I think, about half-past nine, and though there had been a large number of people in the town before, I could not see that there were more than a few here and there. I heard certainly that the committee-rooms windows of Mr. Moore were broken that night, but the next day I took particular care to observe about the place, and I could see no window broken but those windows; and with reference to that, I may mention that unfortunately for some time past in Drogheda there had been a good deal of feeling shown against a class of people who were called "Superites," a very offensive term. For the last seven years there were Church missionaries there, who were persons, I think, of very vulgar appearance, and education, and everything of that kind, and they sometimes, by very inflammatory placards, reflecting very severely on the religion of the people of Drogheda, really did excite the people, and on two or three occasions there was some disturbance, and I think that the people somehow got a habit of throwing stones at windows. I think it was more on that account than anything else, for during the election, though some windows were broken, I found that the supporters of Mr. Moore were out in the streets like other people, and no violence was offered to them, even when the excitement was at the highest pitch. I met a Mr. Davis, a very ardent supporter of his.

6291. Was the town peaceable on the Wednesday?—On the Wednesday morning up to the time of the nomination it was perfectly peaceable. At the

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nomination there was the usual excitement which there is at Irish nominations, and indeed I believe there was a little more, because one gentleman presented himself who was very unpopular in the town, and who was putting himself forward in a very ugly position, for he had been always a Liberal, but on this occasion he came forward to second a very strong Conservative, and the people did not like that, and became a little irritated.

6292. Was that Mr. Jordan?—Yes.

6293. Is that the gentleman they called "Kitty"?—I believe he does go by that name sometimes.

6294. "Kitty the super," is that the name he goes by?—No; I never heard him called a super; being a soap-boiler, they might have called him "Kitty the soaper." I never heard him called "super" before.

6295. He had put himself in an ugly position you say?—Yes; the people of Drogheda are all Catholics and all Liberals, and he was a great man too for the Liberals in 1847. In fact he was very strong on that occasion. I never heard him voting against Liberal principles in our country before.

6296. Now tell us, if you please, what was the state of the town after the nomination?—After the nomination the people came out of the Tholsel, and were going backwards and forwards in crowds. I do not know whether they hooted any one. I did not hear it; but I know I saw no one struck or offended during the Wednesday. During the Wednesday I do not remember seeing any one struck or offended. I saw the supporters of Mr. Moore going about there, and I could not see any fear in their hearts. They had very little occasion to fear and the town continued in this state.

6297. That is, it continued in a quiet state?—There were crowds and a little hooting, but as to striking or breaking houses I could see nothing of the kind. About seven o'clock Mr. M'Cann announced that Mr. Moore thought it well to retire. This was announced to the people from two different parts of the town. Mr. M'Cann announced it, and made a long speech on the virtues of Mr. Smith, and told the people to go home; that all was over, and the people were much pleased. There were also some little speeches made at the White Horse to induce them to go home in good humour; they were told that the contest was all over, that there was nobody in the field but Mr. Brodigan, and that he was not a very formidable opponent.

6298. I suppose the priests told them this?—The priests and laymen; unfortunately afterwards there was considerable excitement and some windows were broken, but there was no beating of people.

6299. I supose you were of opinion that there was not sufficient necessity for calling out the military?—At what time.

6300. At any time. It was all peaceable on the Monday, the Tuesday, and the Wednesday; and still more after Mr. M'Cann told the people that Captain Moore had retired. At what time was it necessary to call out the military, if at all?—At the time they were breaking the windows; there was no necessity for the military, as far as I could see.

6301. Was there at any time any necessity for the military; that is what I want to know?—I do believe that there was not any necessity whatever at any time for the military. I believe that the body of police there was perfectly adequate to preserve the peace of the town; I am quite satisfied of that.

6302. If you had been commanding officer you would not have had the military out?—I do not know what I should do if I were in that position; perhaps I might show my sword, or something of that kind.

6303. You say you called upon the people to vote for M'Cann and their religion?—No; not for M'Cann and their religion; what I said was, that a man who would vote for M'Cann would vote for his country and his religion; the meaning of it was this: I had been telling the reasons they had to support M'Cann and not to support Moore; and among those reasons I spoke about tenant right, for I knew that Mr. M'Cann was most favourable to a fair adjustment of the relations between landlord and tenant; but I had great suspicions of Mr. Moore, who was put forward by a party who never displayed any great regard for the poor people's interest.

6304. Did any of the other gentlemen (the clergy) use the same or similar expressions, with reference to M'Cann and religion?—I heard two clergymen; no one; making a speech, and it was all about Mr. Brodigan; he called him his friend

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friend Mr. Brodigan, and said how sorry he was that he was making such divisions in the town, with no chance of success.

6305. That is no answer to my question; my question is, whether any of the other clergymen used similar expressions with reference to Mr. M'Cann and religion?—I did not hear them say anything about religion.

6306. Did you hear any of them say anything about the Boyne running red with blood?—No, not one.

6307. You have told us about Mr. Jordan going by the name of Kitty; did you hear any of them mention Mr. Jordan's name as "Orange Kitty"?—No; I heard no priest mentioning his name in that way, but I heard a woman in the crowd.

6308. While you were speaking?—Yes; the last night I said a few words to them to strive to get them to go home quietly, and I praised the women; I said they were excellent women, and one girl in the crowd cried out, "We are, with the exception of Miss Kitty."

6309. Did you promise them a three days' dispensation; I do not mean, that you could have kept the promise, you know?—I know all about it very well; I am quite clear about it.

6310. You did promise it to them, did you not?—No; I really do not know what kind of dispensation you allude to.

6311. You do not know what is meant by dispensation?—Wait, if you please; do you mean a dispensation of the law.

6312. Did you not promise the women three days dispensation?—No.

6313. Nothing of the sort?—No; what I said was this: it is a great business in Ireland, talking to the women at elections, to make them all in good humour and good temper; it was an old dodge of O'Connell's to praise the women, and he was a great master of business of that kind; I said to them that they were so firm and true to what they believed to be right that, although the Scriptures said that the man was clearly the head of the woman, still, if I had power, I would make the woman the head of the man during all the elections; it was of course a mere jest; they laughed most heartily; every child would know what I meant perfectly well by that.

[The Witness withdrew.

Mr. *Henry Clinton*, was called in; and having been sworn, was Examined by Mr. *Phinn*, as follows:

Mr. *H. Clinton.*

6314. WERE you the agent for election expenses for Mr. M'Cann during the election?—No.

6315. You were conducting agent?—Conducting agent.

6316. Did you manage the election generally?—Yes.

6317. Had you been concerned previously in watching the registration and attending to the state of the register?—Yes.

6318. Since when?—Since 1852.

6319. With reference to expenditure, what were your instructions from Mr. M'Cann?—To take care there should be nothing but what should be legally paid.

6320. And as far as you could, did you carry out those instructions?—Strictly.

6321. We have been told that the result of the Conservative canvass excited great apprehensions in your camp on the Monday night; was that so?—Do you mean, did we consider Mr. M'Cann in any danger.

6322. Yes?—No such thing.

6323. From your knowledge of the register, was there any danger, as far as you could see, if the election on the part of your opponents was legally conducted?—There could be no doubt whatever of Mr. M'Cann's being returned, unless improper means were resorted to.

[The Witness withdrew.

J. M'Cann, Esq. M. P.

James M'Cann, Esq., a Member of The House, sworn, and Examined by Mr. *Phinn*, as follows:

6 August 1857.

6324. ARE you the Sitting Member for Drogheda?—Yes.

6325. You have sat, I think, since 1852?—Yes.

6326. In the election of 1847, were you applied to to become a candidate?—I think I was.

6327. But you never formally came forward till 1852?—No; in 1847 I took no part in the election whatsoever; previous to that I was a supporter of Sir William Somerville.

6328. With reference to expenses, did you give any instruction to your agents?—I did.

6329. What?—Not to expend one shilling either in treating or bribery.

6330. Do you know a man named Long?—I do.

6331. Did you ever authorise him to expend any money in treating or otherwise?—Never, or anyone else.

6332. Do you know Mr. Whearty?—I never authorised Whearty or anyone else to spend one shilling in any improper manner upon the election; I never authorised him or Long to expend a farthing; I authorised no person whatever in Drogheda but Mr. Clinton to spend one single farthing on my account.

6333. Did you mention that publicly?—I mentioned it everywhere I went; I mean wherever I met any of my supporters. When I passed through the streets, drunken and half-drunken men would come up and ask me for money, and it excited me a good deal; I was determined to guard against anything of the kind, as far as I could, and I said, "for God's sake, take care that no man gets money;" I went so far as this; I stated to many persons and as often as I had an opportunity (and I will also add, that the statement I then made I repeat now on my oath), that if a shilling was spent illegally or in treating, I would resign. This was before the election, and I now swear positively that if a pound note spent illegally or improperly would have returned me, I would not have given it, and it was not given with my knowledge or consent, or any less sum.

6334. You canvassed the town?—I did; and the country, which I think seems to have been forgotten; I think it right to mention that when I heard the persons canvassing the town in a day or two, it excited my surprise. I will explain this; the borough of the town is within a certain circle, but for the purpose of the Parliamentary franchise, there is one portion of it which runs about four miles into the country on one side; that is Ballimallenny. That is divided into farms, and in many places there are only bye-roads. I have often been obliged to tramp across the fields, because I could not get to the voters otherwise, and it did really astonish me a little to hear that the town had been canvassed in so short a time; it took me a great deal of time to do it; I will add, I have always been opposed to canvassing, but I generally said to the people that it was my duty to call upon them, and I went to everybody I could; I went to nearly all the Conservatives.

6335. Time is precious; let me ask you this. Did the result of your canvass justify any apprehensions as to your success?—Not at all.

6336. Did you at any time entertain any doubt about it?—Never; unless there was a very large sum of money expended in bribery; and I think you all forget that there was a general impression in the town that a large sum was to be expended in bribery. As to spending twelve, or fifteen, or seventeen hundred pounds in Drogheda, from my experience (and I have been connected with it for many years), unless it was to be given in bribery and treating, I do not know how it could be expended.

Cross-examined by Mr. *Hodges*.

6337. Are there not a very large number of out-voters, persons living away from Drogheda, and yet entitled to vote on the day of election?—Not a very large number.

6338. I have before me a list of 72; are there as many as 72 living in various parts of Ireland, and other places?—There are some living in England and Scotland, I am quite aware of that.

6339. Do

6339. Do you think there may be as many as 72; I can give you the particulars if you wish it?—I will not say the number; I do not recollect. *J. M'Cann*, Esq. M. P.

6340. Do you think there may be as many as 72?—There may be.

6341. Do you know whether one of the Mr. Smith's is residing in France now; Mr. Phillip Smith. Is there a gentleman, a voter, named Philip Smith, residing in France?—I do not remember a Phillip Smith. 6 August 1857.

6342. Can you tell me whether there are as many as 18 or 19 residing in various parts of England?—I did not make any memorandum of it, nor am I aware how many out-voters there are.

6343. Supposing there had been a serious contest, would you not have instructed your agents to bring up the out-voters?—I never considered it a serious contest unless there was a large sum of money paid in bribery.

6344. That does not meet my question. If there had been a serious contest, would you not have brought up the voters if you could?—That is a question that I do not recollect we discussed much.

6345. Perhaps you had not many to bring up?—I had not; if this is what you mean; that the majority of the out-voters would have voted against me, that may be; I am not sure of that, but we generally calculate that; and a large majority.

6346. *Committee.*] The question is this: if all the 72 out-voters were brought up by either candidate, would there not be a considerable sum of money spent in doing so?—From my experience with regard to out-voters they are generally respectable people who have come long distances, and who never were paid; they are generally leaseholders; freemen cannot vote beyond seven miles. There is a Mr. Urquhart, for instance, who is not on the roll, though he requested me to put his name on; but if he came to vote for me I certainly would not give him money.

[The Witness withdrew.

Mr. *John Rath* was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

6347. WERE you the agent for the election expenses at the last election?—I was, on Mr. M'Cann's part. Mr. *J. Rath.*

6348. Does the sum returned by you to the election auditor, represent the whole of the expenditure?—It does with the exception of a few items which I showed the election auditor, and he said they were not to be allowed in the account.

6349. What were those items?—There was one for an hotel bill on Mr. M'Cann's own account.

6350. His own personal expenses?—Yes; and the others were a few bills for car-hire while he was canvassing.

6351. Where was he staying; at which hotel?—Mr. M'Cann was staying at the "White Horse Hotel," and he had committee-rooms in Shop-street; the "White Horse Hotel" was in West-street.

6352. Where did he sleep?—He generally slept at home.

6353. Where did he dine and sleep?—He dined, I believe, in Simcox's Hotel on some occasions, but he slept mostly at home in his own house; I believe altogether in his own house.

[The Witness withdrew.

Mr. *Phinn* was heard to sum up the evidence on the part of the Sitting Member.

Mr. *Slade* was heard in reply on behalf of the petitioners.

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Questions of the Evidence; and the *Numerals* following *Rep. p.* to the Paging of the Report.]

A.

ACCOUNTS. Witness, who was election auditor, produces the accounts, as returned to him by the agents, and gives sundry explanations in connexion with items therein, *Kelly* 3561-3572.——*See* also *Expenses of Candidates.*

Adjournment of Nomination. See *Nomination*, I. 3.

Agents. Witness, who is a solicitor in Dublin, and has been intimately acquainted with Drogheda all his life, was agent for Captain Moore at the last election for Drogheda, *Mayne* 6-9. 292.

Witness is a boot and shoemaker at Drogheda; is an elector, and was employed at the late election as an agent for Mr. Brodigan, *Cooney* 2316-2319——Circumstance of witness having been in the committee-room for a few minutes yesterday when evidence was being taken; (his examination, therefore, is not allowed), *ib.* 2320-2329——Richard Cooney, publican and shoemaker, was an agent of witness, and seconded him at the nomination, *Brodigan* 3217-3220——Particulars as to witness having lent Cooney, after the election, about 25*l.* or 30*l.* in different sums, with an understanding that the amount was to be liquidated by work done for witness's family and workpeople, *ib.* 3322-3382. 3445-3456.

Witness acted as agent at the election of 1847, and was agent for Captain Moore at the last election, *Rowland* 3623-3627. 3728-3730——As agent at the late election witness received 10*l.*; *ib.* 3748-3751.

Witness was conducting agent for Mr. M'Cann, *Clinton* 6314-6316.

See also *Committee of Mr. M'Cann. Long, Patrick. M'Ghee, Mr. Whearty Richard.*

ASSAULTS ON VOTERS:

1. *Evidence on the Part of the Petitioners.*
2. *Evidence on the Part of the Sitting Member.*

1. *Evidence on the Part of the Petitioners:*

Statement as to some persons having been charged before the magistrates with assaults committed during the election, *Mayne* 256-263——Witness saw several supporters of Captain Moore insulted on the nomination day; stones were thrown and two policemen were struck, one of whom was nearly killed, *Sir Wm. Gordon* 379-382. 441-460——After the nomination witness and several others were pelted and struck in the streets by the mob, *P. Verdon* 636-644——Violence committed by the mob on Tuesday, the day before the nomination, towards Captain Moore's supporters; stones were thrown at them and at the committee-room, *R. Smith* 863-875. 916-918——Considerable violence displayed towards witness on the day of nomination; explanation hereon to the effect that his private character was not in any way the cause of his ill-treatment, *ib.* 897-915. 953-992——Circumstance of witness having been twice struck with stones thrown by the mob, *ib.* 954. 970.

Witness saw several persons assaulted by the mob, *Cory* 1085, 1086——Remarks relative to the attack on Mr. Richard Smith, *ib.* 1087-1093——Attack made on Mr. Jordan when leaving the court-house after the nomination, *ib.* 1138-1148——Attacks made on witness by the mob on Tuesday, *Clarke* 1271. 1310-1312, 1326——During the attack on Mr. Kelly's house, witness was in danger of his life, *ib.* 1226-1228——Violence displayed

Report, 1857—*continued.*

Assaults on Women—continued.

1. *Evidence on the part of the Petitioners*—continued.

displayed by the mob towards witness on Tuesday, the day before the nomination, *Jordan*, 1486-1489——Abuse and violence displayed towards witness on leaving the court-house, *ib.* 1523-1527. 1577-1579——Attack made on witness on his way home on Wednesday evening, the nomination day, *ib.* 1532-1536——Witness saw Mr. Verdon and others assaulted on the nomination day, *Bagnall* 1757-1760.

During the Wednesday witness was struck with stones, and saw several others struck, *E. M. Verdon* 1829. 1861-1864——Attack made on the nomination day upon Mr. Rowland, whose father was on Captain Moore's committee, *Harvey* 2007, 2008——Attack upon Mr. Jordan when returning home on Wednesday evening, *ib.* 2012-2016——Witness was threatened on Tuesday evening, but was not hurt, *ib.* 2070-2097——Attacks made on witness whenever he attempted to leave the sub-sheriff's house on the day of nomination, *Hammond* 2367-2369——Violent attack made by the mob on Mr. Rowland, a linen manufacturer, *ib.* 2367.

No actual attack was made on witness when going in or out of the town on the Tuesday or Wednesday, *St. George Smith* 2750-2766——Reference to the attack made on witness's nephew on the nomination day, *ib.* 2780. 2939-2941——On the Tuesday or Wednesday witness had a narrow escape from being struck with a large stone, *ib.* 2951-2954.

2. *Evidence on the Part of the Sitting Member:*

No casualty was brought to the county infirmary during the election, nor did witness see any one injured, *Pentland* 4507. 4594-4597. 4606-4608——There were only two charges for assault at the election, and only one of these came before the petty session, the other having dropped, *Chadwick* 4645-4656——Statement as to Mr. Richard Rowland having on the day of nomination thrown a table at the crowd, who were hooting him at the time, *Campbell* 4827-4842.

There were a few persons brought before witness, as magistrate, after the election, for assaults; but at the petty sessions there was no conviction, *Derinzy* 5511-5516——Witness had two or three rioters arrested on Wednesday for assaults, but they were subsequently bailed by young Mr. M'Cann, and at the subsequent petty sessions were discharged, *ib.* 5842-5854. 5904-5906——Reference to the report of an attack upon Mr. Richard Smith, *ib.* 5887-5890.

Witness was about during the election, but did not see any actual violence committed on the voters, *Hanratty* 6203-6208; *Montague* 6289-6298.

See also *Nomination. Violence and Excitement.*

Atkinson, Edward, M.D. (Analysis of his Evidence.)—Magistrate and voter of Drogheda; has lived there thirty-four years, 2423-2427—— On the nomination day and some day or two previously, witness, Mr. Jordan, and Mr. Mayne went over the lists of voters, and witness then calculated upon a majority of from fifty to sixty in favour of Captain Moore, 2428-2433——Witness spent his time very much in Captain Moore's committee-room, where he heard from others of the violence of the mob out of doors, and at the nomination, 2434-2438. 2447-2449.

Violent attack made upon Mr. Moore's committee-room on the evening before the nomination, 2439-2442—— Difficulty experienced in obtaining the active assistance of the police for the protection of the committee-room and those in it, 2442-2446——Mr. Jordan and several others bore visible marks of their rough treatment at the nomination, 2447-2449.

After the nomination a calculation was made, which, with every allowance, showed a majority of upwards of forty for Captain Moore, 2450——Upon due consideration a majority of the committee decided that Captain Moore had better retire, else bloodshed would ensue, 2450——Witness and Mr. Jordan were in favour of Captain Moore going to the poll, but witness is now glad that the majority prevailed, for he believes that loss of life would have been the result, 2450, 2451.

After the determination to retire, Captain Moore wrote to Mr. M'Cann, notifying the same to him, 2452-2455——Copy of the address issued by the committee on the retirement of Captain Moore, 2453——A great many voters polled for Mr. M'Cann, who but for the intimidation would have voted for Captain Moore; list of these voters, fifty-seven in number, and explanations thereon, 2457-2465. 2500-2523. 2537.

Witness opposed Mr. M'Cann on public grounds only, 2466-2468——Further statement as to witness and some others having gone through the register, and having concluded that Captain Moore would have a good majority, 2469-2488. 2534-2537—— Public grounds upon which witness subscribed to the petition, 2489——Witness voted for Mr. Brodigan, who is a Liberal, 2524-2526——On the polling-day and the day preceding, that is, after Captain Moore's retirement, the town suddenly became very quiet, 2527-2529. 2532, 2533——The real contest lay, from the first, between Captain Moore and Mr. M'Cann, 2530, 2531.

Report, 1857—*continued.*

Attacks on Voters and Houses. See *Assaults on Voters. Damage to Houses. Nomination. Violence and Excitement.*

Auditor of Election Expenses. Witness was election auditor at the late election, *Kelly* 3560——Has been sub-sheriff at former elections, but resigned the office last February, before being appointed auditor, *ib.* 3573, 3574. 3595–3597.

B.

Bagnall, Henry. (Analysis of his Evidence.)—Boot and shoe maker at Drogheda; has lived there more than thirty years, 1738–1740——Promised to vote for Captain Moore at the late election, 1741, 1742——Extreme excitement in the town on Wednesday, the nomination day, 1743, 1744——Witness made up his mind on Wednesday that he would not vote unless properly protected, 1744. 1749–1754——Considerable damage done to witness's house on the evening of the nomination, 1745–1748. 1768, 1769——Firm conviction of witness that Captain Moore could not have gone to the poll without risking the lives of his supporters, 1755, 1756. 1773. 1778–1780——Witness saw Mr. Verdon and others assaulted on the nomination day, 1757–1760——Explanation relative to witness's claim for compensation; it is not yet settled, 1761–1767——Reason why witness voted for Mr. M'Cann at the former election, 1770, 1771——Considerable excitement and violence on the polling day, 1772–1777. 1779.

Bribery. Circumstance of witness having kept out of the way for some time after the election of 1818, in consequence of an imputation of bribery, *St. George Smith* 2836–2842——Witness did not trust to the influence of money in order to secure Captain Moore's election; he was never applied to for money by any voters, and never authorised money to be given to any of them, *ib.* 2843–2845. 2888–2911. 2957–2966. 2996, 2997——The payment of voters was not discussed in the committee-room, *ib.* 2888–2910——Explanation of the circumstances connected with the election of 1818, which induced witness to leave Drogheda for a time, *ib.* 2922–2924.

Witness was never asked for money by any voter, *Brodigan* 3092–3094——Witness was often at Kelly's house before Captain Moore came forward or had a committee-room there, but never met any freeman or voter there to whom he promised money, *ib.* 3184–3200.

Nothing was ever said to witness about its being necessary to pay the freemen, *Captain A. G. Moore* 3540–3542.

Witness never told a man of the name of John O'Neale that no poor man should vote without money, *Finlay* 3888, 3889——Nor did witness ever send his wife to O'Neale to ask for money, *ib.* 4076–4081——Witness did not go to the house of a man named M'Curry in order to see what he could get for his vote, *ib.* 4082–4092——Pecuniary resources of witness adverted to in connexion with the imputation of his wishing to sell his vote, *ib.* 4112–4118. 4135.

Captain Moore could not by legal means have polled a majority of forty votes, *Pentland* 4502–4506; *Chadwick* 4657–4666; *Campbell* 4789——The expenditure of 1,200 *l.* or 1,500 *l.* might have done much towards returning Captain Moore, that is, by bribing the freemen and 40 *s.* freeholders, *Campbell* 4790–4793. 4859–4887——It was considered that from seventy to eighty voters were amenable to bribery, and this made Mr. M'Cann's friends somewhat anxious, *Ternan* 4990. 5005, 5006——Impression that but a very limited number of Roman-catholics would have supported Captain Moore without bribery, *ib.* 5016–5024. 5126–5132.

Captain Moore had no chance of success without bribery, *Carty* 5242–5244——So large a sum as 1,200 *l.* or 1,500 *l.* could never have been required in legitimate purposes, *ib.* 5245–5249. 5328–5333——It was clear that unless bribery was resorted to Mr. M'Cann would be returned, *Hanratty* 6143, 6144.

See also *Election of* 1847. *Freemen.*

Brodigan, Francis. (Analysis of his Evidence.)—Barrister; resides near Drogheda, where he holds property; is a magistrate for the county, 2998–3004——Issued his address, as candidate at the late election, on the 24th March, having previously resigned the office of high sheriff, 3005–3009——The town began to be very disturbed after the Monday before the election, 3010–3012——Great difficulty experienced by witness in getting into the court-house on the nomination morning, 3013–3018——Witness expected that the admission to the court-house would have been by ticket, but this plan was not carried out, 3018, 3019.

Impossibility of witness or his proposer or seconder obtaining a hearing, 3020——Circumstance of witness having been struck on the head with an ink bottle, which, but for his hat having protected his temple, might have seriously injured him, 3021, 3022. 3203–3206——Violent assault committed upon Mr. M'Ghee, witness's agent, 3023–3026——Disturbed state of the town on the evening of the nomination, which made it necessary for witness to procure a strong escort before he could leave his hotel, 3027–3042.

Report, 1857—*continued.*

Brodigan, Francis. (Analysis of his Evidence)—*continued.*

The town continued very excited until the election was over, 3043-3047——After the election witness saw that several houses had been damaged, 3048, 3049——Inadequate protection for voters on the polling day, 3050——There was much violence at the nomination, 3051——Threat used towards witness in the court-house by one Michael Johnson, 3052-3054.

Witness is a Roman-catholic, and of strong Liberal opinions, 3055-3065——Further statement as to the period when witness commenced his canvass and gave in his resignation as high sheriff, 3066-3070——Explanation as to witness having suggested the appointment of Mr. Verdon as high sheriff, though opposed to Mr. M'Cann, 3071-3083——Satisfactory progress of witness's canvass up to the time of Captain Moore coming forward, 3084-3091——Witness was never asked for money by any voter, 3092-3094——He calculated that his election expenses would be about 300 *l.* or 400 *l.*; 3095-3097. 3176, 3177.

Evidence relative to Mr. M'Ghee; he was agent at former elections, and is well fitted for the office, 3098-3109. 3421-3430——Witness paid Mr. M'Ghee a retaining fee of 20 *l.*; 3110-3116——Doubt whether Captain Harris, who proposed witness at the nomination, had promised to vote for Captain Moore, 3117-3124——Witness polled fourteen votes, 3125——The small number of votes given for witness is attributable to the violence and intimidation, 3126-3129——Doubt whether witness had a good chance of success after Captain Moore came forward, 3130, 3131.

Circumstance of witness having been a candidate in 1852, and having resigned before the nomination through fear of violence, 3132-3144; 3431-3438——Explanation as to witness having written to Mr. M'Cann some days before the last election, asking him to resign in witness's favour in return for witness's resignation in 1852; 3145-3154——Several candidates who were spoken of, or came forward at the last election, 3155-3159——Witness did not enter into any communication with Captain Moore's committee, 3160-3173.

Witness was often at Kelly's house before Captain Moore came forward, or had a committee-room there, but never met any freeman or voter there to whom he promised money, 3172-3183——Witness stayed at Mr. M'Cann's hotel, and had frequent conversations there with Mr. Derinzy, the stipendiary magistrate, about the state of the town, 3184-3209——Great difficulty experienced by witness in canvassing before the day of nomination; he was not, however, personally injured, 3201-3216.

Richard Cooney, publican and shoemaker, was an agent of witness, and seconded him at the nomination, 3217-3220——Examination relative to the payment by witness of 35 *l.* to a son of Cooney's for the use of two rooms as committee-rooms, 3221 *et seq.*; 3439-3444——Witness was not aware that Cooney spent money in giving drink to the mob, and never authorised him to do so; he made some claim on witness after the election for expenditure in getting the mob away from his house, 3237-3249. 3271-3275. 3457, 3458——Particulars as to witness having lent Cooney after the election about 25 . or 30 *l.* in different sums, with an understanding that the amount was to be liquidated by work done for witness's family and workpeople, 3322-3382. 3445-3456.

Witness did not see Cooney going about at the election offering beer and money to voters, 3383-3385. 3390, 3391——Witness has subscribed 50 *l.* towards the expenses of the petition, 3386-3389——Explanation as to witness having acted as foreman of the grand jury when the question of Cooney's compensation for damage to his house was determined, 3392-3403. 3412-3416——Mr. Jordan's compensation was reduced from 15 *l.* to 3 *l.* by his own acquiescence, 3404-3407——Statement relative to a complaint by witness to Judge Jackson in regard to several of the grand jury having retired when the compensations were being inquired into, 3408-3411.

In calculating that his election expenses might be 300 *l.* or 400 *l.*, witness did not include any expense in bringing up out-voters, 3417-3420——Witness, who resides mostly in London, volunteered his evidence on the present occasion, 3459-3461.

Brodigan, Mr. The real contest from the first lay between Captain Moore and Mr. M'Cann, *Atkinson* 2530, 2531; *St. George Smith* 2711, 2712——Captain Moore's committee had nothing whatever to do with Mr. Brodigan's coming forward, *St. George Smith* 2881-2886. 2967-2969. 2993——Up to the end of the week preceding the late election, witness did not anticipate any serious contest, Mr. Brodigan's opposition not being at all serious, *Pentland* 4448-4459. 4549, 4550——Mr. Brodigan had no chance at all, *Carty* 5310.

Broken Windows. See *Committee-Rooms.* *Captain Moore.* *Damage to Houses.*

C.

Campbell, William. (Analysis of his Evidence.)—Is treasurer of the corporation of Drogheda and receiver of rents under the Court of Chancery, 4783-4785——Has attended to the registry, and knows the constituency of Drogheda very well, 4786, 4787. 4901-4905——Considers that Captain Moore could not by legal means have polled a majority of forty votes, 4789——The expenditure of 1,200*l.* or 1,500*l.* might have done much towards returning Captain Moore; that is, by bribing the freemen and 40*s.* freeholders, 4790-4793. 4859-4887.

Witness was in town each day except on Thursday, the day before the election, 4794——He voted for Mr. M'Cann, 4795-4797——There was a crowd about on the Tuesday, but witness saw no violence or insult, 4800-4805——Conduct of the people at the nomination; there was as much noise at the election of 1847; 4810-4825. 4922-4983——Statement as to Mr. Richard Rowland having, on the day of nomination, thrown a table at the crowd, who were hooting him at the time, 4827-4842——Unpopularity of Mr. Jordan when canvassing with witness for Sir W. Somerville in 1847; 4843-4850——Ample means of protection in the town for Captain Moore's voters if they had gone to the poll, 4851-4858.

Circumstance of witness having spent about 40*l.* in bribing for Sir W. Somerville in 1847; much more was similarly spent by others, 4864-4882——Explanation as to witness having been dismissed from a certain appointment held by him, 4888-4900——On the evening of the nomination witness was at the White Horse Inn, and heard that the people were addressed from the balcony, 4906-4912——Extent to which he was able to hear any portion of the speeches of Captain Moore or his proposer or seconder at the nomination, 4923-4959——Mr. M'Cann did all he could to obtain a hearing for Captain Moore, 4966-4968——Position of the high sheriff in the court-house; he was hooted by the people, 4978-4982.

Candidates:

1. *Captain Moore.*
2. *Mr. Brodigan.*
3. *Other Candidates spoken of.*

1. *Captain Moore:*

How far Captain Moore had any connexion with Drogheda, or any friends there, *Mayne* 177-182——Nature and period of witness's communications with Captain Moore relative to his coming forward as a candidate, *ib.* 183-209——Captain Moore was almost a stranger to the Drogheda electors, *Jordan* 1580, 1581——Witness was joined by several of the Liberal party in bringing forward Captain Moore as a candidate, *St. George Smith* 2621-2623——Captain Moore was not a stranger to Drogheda, *ib.* 2624-2627. 2732-2734——Captain Moore was first brought forward on the Saturday before the election, and at once published an address, *ib.* 2732-2749.

Witness is captain, on half-pay, in the 17th Dragoon Guards; is aide-de-camp to Lord Seaton, *Captain A. G. Moore* 3462, 3463——Date and character of the first communication to witness about his coming forward as a candidate, *ib.* 3524-3534.

2. *Mr. Brodigan:*

Witness is a barrister; resides near Drogheda, where he holds property; is a magistrate for the county, *Brodigan* 2998-3004——Issued his address as candidate at the last election, on the 24th March, having previously resigned the office of high sheriff, *ib.* 3005-3009——Is a Roman-catholic, and of strong Liberal opinions, *ib.* 3055-3065——Further statement as to the period when witness commenced his canvass, and gave in his resignation as high sheriff, *ib.* 3066-3070——Witness did not enter into any communication with Captain Moore's committee, *ib.* 3160-3175.

3. *Other Candidates spoken of:*

Reference to several candidates who were spoken of, or who came forward, besides Captain Moore, witness, and Mr. M'Cann, *Brodigan* 3155-3159.

See also *Retirement of Captain Moore.*

Canvass of Electors, and Prospects of Success (Captain Moore):

1. *Favourable Reception of Captain Moore in the Borough; Success anticipated by him and his Friends.*
2. *Denial that Captain Moore had any Chance of Success, unless by illegal Means.*

1. *Favourable Reception of Captain Moore in the Borough; Success anticipated by him and his Friends:*

Very favourable manner in which Captain Moore was received by the electors when conducting his canvass on Saturday the 28th March, and the following Monday, *Mayne*

CANVASS OF ELECTORS, &c.—continued.

1. *Favourable Reception of Captain Moore, &c.*—continued.

10-30——The canvass was continued till the afternoon of Wednesday the 1st April, *Mayne* 23——After the second day's canvass Captain Moore's friends calculated on a majority of from forty to sixty, *ib.* 29, 30——Witness assisted Captain Moore in his canvass; was much surprised at the good reception he met with, and anticipated his election as certain, *R. Smith* 831-841——Captain Moore's canvass was very successful; a majority of forty-five was calculated upon, *Clarke* 1265. 1269.

Witness attended Captain Moore in his canvass; had not the smallest doubt of his success, *Jordan* 1472-1485——Witness calculated on a majority of from seventy to eighty; allowing for everything, the committee calculated on a majority of from forty to fifty, *ib.* 1607——Favourable reception given to Captain Moore when canvassing on Monday, *ib.* 2345, 2346——Grounds for concluding that, but for the intimidation and riot Captain Moore would have succeeded if he had gone to the poll, *ib.* 2383-2391. 2408-2412.

On the nomination day, and some day or two previously, witness, Mr. Jordan, and Mr. Mayne went over the list of voters, and witness then calculated upon a majority of from fifty to sixty in favour of Captain Moore, *Atkinson* 2428-2433——After the nomination a calculation was made, which, with every allowance, showed a majority of upwards of forty for Captain Moore, *ib.* 2450——The committee were unanimous in their anticipation of Captain Moore's success, *ib.*——Farther statement as to witness and some others having gone through the register, and having concluded that Captain Moore would have a good majority, *ib.* 2469-2488. 2534-2537.

On the Saturday and Monday preceding the election witness accompanied Captain Moore on his canvass, when he was very favourably received, *St. George Smith* 2628-2634——Witness and other supporters of Captain Moore went carefully through the register, and considered that Captain Moore had every chance of success, *ib.* 2635-2639——Witness and his family have considerable influence in the borough, *ib.* 2641, 2642——Some female members of witness's family canvassed on the Monday; doubt whether they did so on Tuesday, *ib.* 2925-2930.

Satisfactory progress of witness's canvass up to the time of Captain Moore coming forward, *Brodigan* 3084-3091——Doubt whether witness had a good chance of success after Captain Moore came forward, *ib.* 3130, 3131.

Witness arrived at Drogheda on the Friday before the election, and commenced his canvass on the following day, *Captain A. G. Moore* 3464-3470——Was very favourably received by the electors, and by Tuesday morning concluded his success was pretty certain, *ib.* 2471-2473——Was also favourably received on the Saturday and Monday by the non-electors, *ib.* 3474, 3475.

Witness went over the register, and calculated that Captain Moore would have a majority of twenty if deserted by the "Father town" party, and if not so deserted, a majority of nearly 100, *Rowland* 3683-3685. 3782, 3783——The opposite party knew that Captain Moore would have a majority; grounds for this statement, *ib.* 3685. 3689-3697.

2. *Denial that Captain Moore had any Chance of Success, unless by illegal Means:*

Impression that ordinary means would not have secured a majority of forty for Captain Moore, *Kelly* 3592-3594——Witness was not canvassed for Captain Moore; he was introduced to him on the day before the nomination, *Pentland* 4456-4458. 4609-4612——Witness considered that a majority of forty could not have been secured for Captain Moore by legal means, *Pentland* 4502-4506; *Campbell* 4789——Witness thought Captain Moore was late in the field, but expected he would have gone to the poll, *Pentland* 4551-4552.

Witness knows the constituency well, and believes that unless Captain Moore spent a good deal of money he had no chance of a majority, *Chadwick* 4657-4666——Witness went over the register with some others on the Monday evening before the election, and calculated upon a majority at least of 100 for Mr. M'Cann, supposing that bribery was not resorted to, *Ternan* 4988, 4989. 5109——Persons present on the Monday evening when the registry was being scrutinised, *ib.* 5110-5125.

Knowledge of the constituency, from which witness concluded that Mr. M'Cann must succeed, *Carty* 5313-5319——Mention of some of those who, besides witness, canvassed with Mr. M'Cann, *ib.* 5320-5327——Witness is well conversant with the state of the register, *Clinton* 6317, 6318——There was no doubt of Mr. M'Cann's return, unless improper means were resorted to by his opponents, *ib.* 6321-6323.

Witness made a full canvass of the electors, which Captain Moore could not have done in two or three days, and felt sure of success, provided a large sum were not expended by his opponents in bribery, *M'Cann* 6334-6336. 6343.

See also *Bribery. Roman-catholic Laity.*

Report, 1857—*continued.*

Carty, Thomas. (Analysis of his Evidence).—Merchant at Drogheda; has lived there all his life, 5133, 5134——Has been high sheriff, and is now mayor and magistrate, 5135–5140——When witness signed the list of about 140 names, promising to support Mr. M'Cann, a contest was not contemplated, 5141–5148. 5309, 5310——Witness was at the White Horse Inn when some priests spoke from the balcony, but did not hear their speeches, 5149–5152. 5312.

Explanation of the grounds of witness's refusal to grant the use of the Tolsey or court-house for the accommodation of the police and military during the nights at the time of the election, 5153–5159——There was no application to witness to admit the people by ticket to the court-house at the nomination, 5160–5164——The court-keeper had the key of the court-house, and opened the doors on witness's arrival, and by his directions, a little before ten o'clock, the hour fixed for the nomination, 5165–5169. 5196, 5197——There was much difficulty in getting through the mob to the court-house door, but the friends of Captain Moore and Mr. M'Cann were first admitted, and the general mob kept back for five or ten minutes, much to their dissatisfaction, 5168–5178.

Considerable interruption by certain of Captain Moore's supporters to witness's speech in proposing Mr. M'Cann, 5179–5190——After witness's speech he retired from the platform, and did not see what afterwards occurred, 5190. 5287–5291——Less violence at the late election than at that in 1847; 5191–5195. 6240, 6241——Communication between witness and Mr. Derinzy, the stipendiary magistrate, during the election; the latter showed witness instructions giving him the control of the military and police, 5198–5205——Comment on some directions by Mr. Cory, sub-inspector of police, that the police were to take instructions only from the stipendiary magistrate and high sheriff, 5202. 5209–5211.

Explanation relative to an application made to witness by Mr. Mayne for a police force for the protection of Captain Moore's committee-rooms; conversation on the matter between witness and Mr. Mayne on the following day, 5206–5210. 5335, 5336——Reference to some differences between witness and Mr. Cory previously to the election, 5213–5220. 5295, 5296——There were great crowds about the nomination day, but witness saw no violence which would justify Captain Moore's retirement, 5221–5234——Ample means of protection for Captain Moore's voters, 5227–5232.

Statement as to a complaint having been made to the Castle about Mr. Cory's conduct at the election; it afterwards appeared that Mr. Cory had got leave to exchange or remove, 5235–5239. 5297–5308——Captain Moore had no chance of success without bribery, 5242–5244. 5311——So large a sum as 1,200 *l.* or 1,500 *l.* could never have been required in legitimate expenses, 5245–5249. 5328–5333——The few Roman-catholic gentlemen who supported Captain Moore were not men of much popularity or influence, 5250–5261.

How far witness as mayor is responsible for the peace of the town, 5262–5265——Opinion that it was not inconsistent with witness's position to propose Mr. M'Cann at the nomination, or to act as chairman of his committee, 5266. 5334——Statement to the effect that witness acted as chairman of the committee on one occasion only, 5267–5279——Further statement as to witness having declined to grant the use of the court-house to the military, 5281–5286——Witness saw that damage had been done to the house of Mr. Jordan and other houses, 5292–5294——Knowledge of the constituency from which witness concluded that Mr. M'Cann must succeed, 5313–5319——Mention of some of those who, besides witness, canvassed with Mr. M'Cann, 5320–5327.

Chadwick, John. (Analysis of his Evidence.)—Magistrate of Drogheda, 4613, 4614——Was in Drogheda each day during the election except Tuesday, the day before the nomination, 4615–4617——Considers that the last election was less violent than the election of 1847; examination hereon, 4618–4620. 4687–4708——On the day of nomination Captain Moore's friends and some of Mr. M'Cann's friends got into the court-house when the doors were opened, after which the police prevented the body of the people from entering for fully five minutes, 4622–4630——There was considerable noise and disturbance at the nomination, but not of a character which need have deterred Captain Moore from proceeding with the election, 4631–4641.

After the nomination there was some natural excitement and bustle in the streets, but witness did not see any one injured, 4642–4644——There were only two charges for assault at the election, and only one of these came before the petty sessions, the other having dropped, 4645–4656——Witness knows the constituency well, and believes that unless Captain Moore spent a good deal of money, he had no chance of a majority, 4657–4666.

Witness was on the list of Mr. M'Cann's committee, and canvassed for him, 4667–4671——He does not know by whom the White Horse Inn was retained for Mr. M'Cann; he has heard that a special sum was paid for the use of the balcony, 4672–4679——He was only once in the committee-room at the White Horse, and did not hear Father Hanratty address the people, 4680–4686——The town was quiet on the polling day, and there was no difficulty in voting, 4709–4717.

None of the workpeople at the flax mills, in which witness is a partner, were allowed to leave their employment on the nomination-day, 4718–4726——As regards the presentments before the grand jury relative to damages to houses, witness saw the

Report, 1857—*continued.*

Chadwick, John. (Analysis of his Evidence)—*continued.*

damage to Mr. Jordan's house only, 4727-4732——Statement relative to the proceedings of the grand jury in regard to the presentments; reason why witness and other members objected to the presentments being received, 4733-4755——Equal noise and bustle when Mr. Carty was made mayor as at the late election, 4758-4760——There were a great many weavers on strike about the time of the election, 4761, 4762.

In signing the paper or list of Mr. M'Cann's supporters, witness did not undertake in any way to conduct the business of the election, 4763-4766——Reference to some placards, which were objectionable to the priests, as having been posted about the town at different periods before the election, 4767-4774——Impression that the stipendiary magistrate was the proper person to apply to for directing the military or police at the election, 4775-4782.

Clarke, Laurence Russell. (Analysis of his Evidence.)—Parochial schoolmaster at Drogheda; is also an agent and land surveyor, and is well acquainted with the feelings of the inhabitants, 1252-1258——Is a freeman, and supported Captain Moore, 1259-1261——Quiet state of the town on the Saturday and Monday before the election, 1262-1264——Captain Moore's canvass was very successful; a majority of forty-five was calculated upon, 1265. 1369——Excited state of the town on the Tuesday, 1265 *et seq.*——Particulars as to some violent speeches by the priests from Mr. M'Cann's committee-room, 1265-1315. 1361-1368.

Attacks made on witness by the mob on Tuesday, 1291. 1310-1312. 1326——Active parts taken by the priests in canvassing, 1316-1324——Violent attack made on Mr. Kelly's house, where Captain Moore's committee-rooms were, on Tuesday evening, 1325-1329——During the attack on Mr. Kelly's witness was in danger of his life, 1326-1328——Extremely violent conduct of the mob towards Captain Moore's friends when waiting outside the court-house on the morning of the nomination, 1330-1333——One of the police was disabled by the mob outside the court-house, 1331, 1332.

Great violence at the nomination; the scene was fearful beyond conception, 1332-1335——Extremely disturbed state of the town after the nomination, 1336-1339——Witness, who is not generally unpopular in Drogheda, would hardly have dared to vote for Captain Moore, 1340-1344——The violence of the mob would have deterred Captain Moore's voters generally from going to the poll, 1340. 1369——The infantry were in the streets, both on the Tuesday and the nomination day, 1350-1360.

Clements, Edward. (Analysis of his Evidence.)—Produces the poll-books for the last election, 5.

Clinton, Henry. (Analysis of his Evidence.)—Was conducting agent for Mr. M'Cann, 6314-6316——Is well conversant with the state of the register, 6317, 6318——Was instructed by Mr. M'Cann to see that no money was spent illegally, and did all in his power to carry out such instructions, 6319, 6320——There was no doubt of Mr. M'Cann's return, unless improper means were resorted to by his opponents, 6321-6323.

Committee of Mr. M'Cann. Statement as to witness having seen Mr. M'Cann on the 28th March, about the insertion of two advertisements in the "Conservative" paper; these were afterwards left at witness's office by Mr. M'Cann, *M'Dougall* 468-478. 528, 529——Witness inserted the advertisements in question, and produces a portion of the paper containing one of the advertisements, and showing a list of persons who had formed themselves into a committee for securing Mr. M'Cann's return, *ib.* 479-484——The money for the advertisements was paid by Mr. M'Cann's agent for election expenses, *ib.* 486-489——Persons seen by witness in the tally-room of Mr. M'Cann, *Finlay* 3802-3808.

Witness signed the requisition paper, containing the names of those who formed themselves into a committee for Mr. M'Cann, *Thornton* 4143-4146——Explanation of the circumstances under which witness signed the requisition or document in favour of Mr. M'Cann; he does not know who brought it to his house, *ib.* 4188-4209——In signing the address promising to support Mr. M'Cann, witness did not calculate that he was to act as one of Mr. M'Cann's committee, *Pentland* 4451-4455. 4524-4528.

Witness was on the list of Mr. M'Cann's committee, and canvassed for him, *Chadwick* 4667-4671——In signing the paper or list of Mr. M'Cann's supporters, witness did not undertake in any way to conduct the business of the election, *ib.* 4763-4766——When witness signed the list of about 140 names, promising to support Mr. M'Cann, a contest was not contemplated, *Carty* 5141-5148. 5309, 5310.

The Committee state, that the fact of a name appearing on the list of those who formed themselves into a committee to procure Mr. M'Cann's return, is not sufficient to establish proof of agency, *Ev. p.* 147.

Committee-Rooms (Mr. Brodigan). Examination relative to the payment by witness of 25*l.* to a son of his agent, Cooney, for the use of two rooms as committee-rooms, *Brodigan* 3221 *et seq.* 3439-3444——Size of Cooney's house, and character of the rooms, *ib.* 3228-3236——The rooms were used for eight or nine days, *ib.* 3234——Small size of Cooney's house, *Kelly* 3571, 3572.

Committee-

Report, 1857—*continued.*

Committee-Rooms (Mr. M'Cann). See *Roman Catholic Clergy. White Horse Hotel.*

Committee-Rooms (Captain Moore). After the speeches from Mr. M'Cann's hotel on the Tuesday evening, the mob made a violent attack on Captain Moore's committee-rooms, at Mr. Kelly's house, and broke several windows with stones, *Mayne* 46–67; *Cory* 1076–1084. 1118. 1192–1195; *Clarke* 1325–1327; *Jordan* 1488–1500; *Harvey* 1974–1976. 1982–1986; *Atkinson* 2439–2442——Statement as to witness having on the Tuesday evening written to Mr. Carty, the mayor, who was chairman of Mr. M'Cann's committee, for a patrol of police near Captain Moore's committee-rooms; verbal answer to this communication, *Mayne* 58–62. 337, 338——Difficulty experienced in obtaining the active assistance of the police for the protection of the committee-room and those in it, *Atkinson* 2442–2446——Considerable damage done to witness's committee-rooms on the evening of Tuesday; some very large stones were thrown through the windows, *Captain A. G. Moore* 3477–3483——On the evening before the nomination a very violent attack was made upon Captain Moore's committee-rooms; the windows and doors of the house were smashed in, *Rowland* 3651–3653.

Explanation relative to an application made to witness by Mr. Mayne for a police force for the protection of Captain Moore's committee-rooms; conversation on the matter between Mr. Mayne and witness on the following day, *Carty* 5206–5210. 5335, 5336——Reference to an application made to witness on Tuesday evening for protection for Captain Moore's committee-room, which had received some damage from the mob; witness went to the committee-room, and by his order the police dispersed the mob, *Derinzy* 5391–5417——Explanation as to witness having on the Monday evening declined to send some police to protect Mr. Thomas Kelly's house, where Captain Moore's committee sat, as requested to do by Kelly, *ib.* 5526–5533——Further statement as to witness having dispersed the mob from Kelly's house on the Tuesday evening, *ib.* 5534, 5535. 5739–5747.

Compensation for Damages. Circumstance of eleven persons whose property had been injured having made claims for compensation at the presentment sessions; statement hereon as to Mr. Carty, the mayor, having illegally assumed the chair on this occasion, and having by his casting vote decided against receiving the claims of the parties, *Mayne* 149–156. 160——Proceedings subsequently before the grand jury in regard to claims for compensation, *ib.* 157——The matter eventually was settled at the assizes, and the parties were awarded compensation, *ib.* 157–161——Less amount of compensation given than was claimed, *ib.* 157. 162–171. 223–226.

Statement as to witness having claimed 4 *l.* for compensation, and having reduced the claim to 2 *l.* 12 *s.* 6 *d.*, the amount lost by the broken glass, *Harris* 1678–1688. 1733–1735——Explanation relative to witness's claim for compensation; it is not yet settled, *Bagnall* 1761–1767——Statement as to witness having compensated himself for the damage done to his house by stopping the priest's dues, *E. M. Verdon* 1851–1860.

Explanation as to witness having acted as foreman of the grand jury when the question of Cooney's compensation for damage to his house was determined, *Brodigan* 3392–3403. 3412–3416——Mr. Jordan's compensation was reduced from 15 *l.* to 3 *l.* by his own acquiescence, *ib.* 3404–3407——Statement relative to a complaint by witness to Judge Jackson in regard to several of the grand jury having retired when the compensation was being inquired into, *ib.* 3408–3411——Impression that witness's father got about 2 *l.* as compensation for the damage done to his house, *Rowland* 3639, 3640. 3698–3707.

Statement relative to the proceedings of the grand jury in regard to the presentments; reason why witness and other members objected to the presentments being received, *Chadwick* 4733–4755——Witness was one of the grand jury who left the room when some presentments were being considered in regard to damage to houses at the elections; reason why he did so, *Ternan* 5097.

Conolly, Thomas. Threatening language used at the nomination towards Captain Moore by Thomas Conolly, an active supporter of Mr. M'Cann, *Rowland* 3661–3663.

Conservative Candidates. Conservative candidates have sometimes been returned for Drogheda, *P. Verdon* 760–765.

Cooney, Richard. (Analysis of his Evidence.)—Boot and shoe maker at Drogheda; is an elector, and was employed as an agent for Mr. Brodigan, 2316–2319——Circumstance of witness having been in the committee-room for a few minutes yesterday when evidence was being taken (his examination, therefore, is not allowed), 2320–2329.

Cooney, Richard. See *Agents. Committee-Rooms (Mr. Brodigan). Treating,* 1.

Cope, William. (Analysis of his Evidence.)—Corporal in the 17th Lancers; arrived at Drogheda from Dublin on the Monday before the election, 1370–1374——Was billetted opposite the White Horse Hotel, 1375——On Monday evening heard young Mr. M'Cann and some priests address the crowd in front of the hotel in regard to their votes, 1377–1389. 1430–1432——Exciting language used by the Rev. Mr. Hanratty in calling upon the

Report, 1857—*continued.*

Cope, William. (Analysis of his Evidence)—*continued.*

the people to support M'Cann and oppose Moore, 1388–1394——Power of the priests in exciting the people, 1394——There was no actual violence on the Monday night, 1395.

On the evening of Tuesday, witness again heard the priests address the people from the hotel; there was a great crowd, 1396–1403. 1432–1437——Strong language used on Tuesday evening by Father Montague, 1404–1407——Father Hanratty again addressed the people on Tuesday; violent language used by him on that occasion, 1408–1415——Witness and half his troop left Drogheda on Wednesday; they had not been called upon to act, but if called upon could easily have dispersed the people, 1416–1455——The police could not of themselves have put down the people, 1438–1440.

Cory, Edward Smith. (Analysis of his Evidence.)—Has been sub-inspector of constabulary at Drogheda for about five years, 1042–1045——Had about 165 men under his command at the late election; was subject to the orders of the high sheriff and the stipendiary magistrate, 1046–1051——The town was perfectly quiet previously to the Monday before the election, 1052–1055——There was some excitement on Monday evening, 1055. 1178, 1179——Exceedingly excited and disturbed state of the town on the evening of Tuesday 1056 *et seq.*

Excitement occasioned on Tuesday evening by the harangues of the priests from the White Horse Hotel, 1061–1073——Attack made on Tuesday on Mr. Kelly's house, where Captain Moore hold his committee-room, 1076–1084. 1118. 1192–1195——Witness saw several persons assaulted by the mob, 1085, 1086——Attack made on Mr. Richard Smith, 1087–1093——Attacks made on witness; he was struck with stones and pelted with dirt, and was much hurt, 1094–1115. 1189–1191. 1251——Serious injury inflicted on one of witness's men, 1103, 1104.

Witness was not in the court-house during the nomination, 1116. 1136, 1137——Considerable damage done to several houses by the mob in the course of Tuesday, 1117–1125——Serious attack made on Mr. Derinzy on the evening before the election; he was rescued from the mob by witness, 1126–1135. 1235, 1236——Attack made on Mr. Jordan when leaving the court-house after the nomination, 1138–1142——Captain Moore could not have gone on with the election without endangering the lives of his voters, 1143, 1144.

Number of police, cavalry, and infantry in the town, 1145–1152——The infantry were called out on two or three occasions, but the police were found sufficient to clear the streets, 1153–1171. 1237, 1238——Reference to the election in Leitrim in 1852, at which the military were required to escort voters to the poll, 1172–1177——The excitement on Tuesday was very much directed against some of the Roman-catholic supporters of Captain Moore, such as Mr. Jordan, 1180–1184——Excitement and violence on the morning of the nomination before the court-house was opened, 1185–1188——The police were brought to the town for the election, 1196, 1197.

Explanation relative to the official reports made by witness to the Inspector-general at Dublin, 1198–1205. 1239–1245——Circumstance of witness having thanked some of the priests for their exertions in dispersing the mob after the election, 1206, 1207. 1229–1234—There was no difficulty in the way of the polling of the voters, 1209–1211——Disposition of the police force on the polling day, 1212–1215.

Statement that witness considered himself under the orders of the high sheriff and not under those of the stipendiary magistrate, or local magistrates, 1216–1223. 1227, 1228——Witness never had any refreshments at Mr. M'Cann's hotel during the election, 1224–1226——Reference to a letter to one of the magistrates from Joseph Harris, a supporter of Captain Moore, applying for protection from the mob; fear therein expressed of the sacrifice of life and property by the mob, 1246–1251.

Cory, Mr. Comment on some directions by Mr. Cory that the police were to take instructions only from the stipendiary magistrate and high sheriff, *Carty* 5202. 5209–5211——Reference to some differences between witness and Mr. Cory previously to the election, *ib.* 5213–5220. 5295, 5296——Statement as to a complaint having been made to the Castle about Mr. Cory's conduct at the election; it afterwards appeared that Mr. Cory got leave to exchange or remove, *ib.* 5235–5239. 5297–5308.

Mr. Cory generally acted under witness's orders, *Derinzy* 5522–5525.

See also *Police, The.*

Court-house. Circumstance of Mr. Carty, the mayor, having refused an application by witness for the use of the court-house or Tholsey for the police on the Saturday night before the election, *Peter Verdon* 569–578——Refusal of Mr. Carty to grant the use of the court-house for the police on the night of the nomination, when witness applied a second time for it, *ib.* 647–654——Exception taken to the conduct of the mayor in declining to grant the use of the court-house for the police, and in keeping it locked until he arrived on the nomination day, *ib.* 676–679. 696–702. 798–807.

Explanation

Court-house—continued.

Explanation of the grounds of witness's refusal to grant the use of the Tolsey or court-house for the accommodation of the police and military during the night at the time of the election, *Carty* 5153-5159. 5281-5286——When application was made to the mayor for shelter for police in the court-house, it was a wet night; the high sheriff not being able to obtain the use of the court-house, housed them himself, *Derinzy* 5617-5626.

See also *Nomination.*

D.

Damage to Houses. Attack made upon the house of witness's son during the nomination night, several of the windows having been broken; other houses were also injured, *P. Verdon* 656-664. 813-818——Considerable damage done to several houses by the mob in the course of Tuesday, *Cory* 1117-1125——Considerable damage done by the mob to Mr. Jordan's house; large stones thrown through the windows, *ib.* 1120. 1122. 1125; *E. M. Verdon* 1836-1843——After witness's arrival home on the nomination evening, several violent attacks were made on his house; considerable damage done to the house by the large stones thrown by the mob on this occasion, *Jordan* 1537-1546.

Particulars as to the damage done by the mob to witness's house on the night of the nomination; a great quantity of stones were thrown through the windows; samples of these produced, *Harris* 1640-1646——Application made by witness to Mr. Atkinson and Mr. Cory for protection from the mob, *ib.* 1647-1649——Further statement relative to the attack on witness's house and the stones thrown into it; steps taken whereby his children were protected from the stones, *ib.* 1671-1677. 1719-1732——Considerable damage done to witness's house on the evening of the nomination, *Bagnall* 1745-1748. 1768, 1769——Damage done to witness's house, *E. M. Verdon* 1844, 1845.

Particulars as to an attack on Wednesday night on Mr. Jordan's house, which was greatly damaged thereby, notwithstanding the presence of the police, who did not interfere, so far as witness saw, *Harvey* 2017-2026. 2056-2070——Several stones were thrown into Dr. Atkinson's house on Wednesday evening, *ib.* 2026——Witness saw a very violent attack upon Mr. Jordan's house, when stones were thrown in volleys, *Morton* 2554-2566——After the election witness saw that several houses had been damaged, *Brodigan* 3848, 3849.

Very violent attack made upon witness's house, *Rowland* 3628-3635——Violent attack also on his father's house, *ib.* 3636-3638. 3641. 3648——The house of witness's brother was saved from injury by outside shutters, but he himself was severely beaten by the mob, *ib.* 3642-3644——Further reference to the attack upon the house of witness's father; it did not arise through the discontent of the men in his employment, *ib.* 3708-3727.

Witness observed that some damage was done to Mr. Jordan's house, and to the windows of other houses, *Pentland* 4494-4496. 4542-4548——Circumstance of there having been some windows broken in Drogheda about a month before the election; doubt as to the cause, *ib.* 4497-4501. 4574-4593——As regards the presentments before the grand jury relative to damages to houses, witness saw the damage to Mr. Jordan's house only, *Chadwick* 4727-4732——Witness saw that damage had been done to the house of Mr. Jordan and others, *Carty* 5292-5294——Witness saw stones flying about on Wednesday, and saw three or four houses in Peter-street attacked, and the windows broken, *Derinzy* 5817-5841. 5855-5861——Witness did not see any place of worship injured, but heard that the windows had been broken, *ib.* 5862-5869.

See also *Committee Rooms* (*Captain Moore*). *Compensation for Damages.*

Derinzy, Thomas. (Analysis of his Evidence.)—Stipendiary magistrate at Trim, county of Meath; has no political connexion with Drogheda, 5337-5341——On the 26th March was ordered to attend the election at Drogheda, and to be there on the 1st April, 5342-5344——Arrived at Drogheda on Monday the 30th March, and put up at the White Horse Inn; Simcox's Hotel, where he usually stops, having been fully occupied, 5344-5355.

Authority respectively of witness, as stipendiary magistrate, and of the high sheriff and local magistrates, at the election; witness did not supersede the local magistrates, 5356-5365——Communication between witness and Mr. Cory about the police, on the Monday before the election; a large additional force was then expected, 5366-5376——Communication between witness and the military officers on Tuesday, the day before the nomination, 5377-5383.

There was a good deal of excitement on Tuesday, but not more than is usual at Irish contested elections, 5384-5390——Reference to an application made to witness on Tuesday evening for protection for Captain Moore's committee-room, which had received some damage from the mob; witness went to the committee-room, and by his order the police dispersed the crowd, 5391-5417——On Wednesday witness was at the court-

Report, 1857—*continued.*

Derinzy, Thomas. (Analysis of his Evidence)—*continued.*

house before the door was opened; there was a large crowd there, but witness did not see any one attacked, 5418–5427——The great bulk of the people were kept back for a short time by the police after some of each party had entered, 5428–5432.

The town was very excited after the nomination, 5433–5435——Two or three people applied to witness for protection on Wednesday, but an escort was not found necessary for them; witness did not refuse protection to any one who applied for it, 5438, 5439. 5446–5448. 5486–5488——A policeman was hurt on Wednesday, but witness believes it was by accident, 5440–5445——Nature of the written reports forwarded by witness each day to Dublin, 5449–5454——The military, both infantry and cavalry, were ordered out by witness on Wednesday, and paraded the streets, but were not called upon to act, 5455–5468.

Witness was not consulted about Captain Moore's retirement, 5469–5474——Witness believes he had force enough to protect Captain Moore's voters, had he gone to the poll, 5472——Witness did not pay much attention to the priests' speeches, but heard them spoken of as inflammatory, 5475–5483——Statement as to Mr. Mayne having wished witness to take an information from him on the day after the nomination; witness objected, as the information rather reflected upon himself, but escorted Mr. Mayne to a magistrate, who took the information, 5484–5486.

Witness was on one occasion pushed down by one of the mob, but was not otherwise attacked, 5490–5505——There was no difficulty in the way of the polling on the day of election, 5506–5509——A few persons were brought before witness, as magistrate, after the election for assaults, but at the petty sessions there was no conviction, 5511–5516——There were a good many weavers on strike at the time of the election, 5517, 5518——Witness endeavoured to act as impartially as possible, 5519——He has no complaint to make against any magistrate who supported Mr. M'Cann, 5520, 5521——Mr. Cory generally acted under witness's orders, 5522–5525.

[Second Examination.]—Explanation as to witness having on the Monday evening declined to send some police to protect Mr. Thomas Kelly's house, where Captain Moore's committee sat, on the Monday, as requested to do by Kelly, 5526–5533——Further statement as to witness having dispersed the mob from Kelly's house on the Tuesday evening, 5534, 5535——Practice in regard to requiring an information on oath before calling upon the military to act, 5536–5553——Witness as stipendiary magistrate never before attended any contested borough election in Ireland, 5554–5561.

Examination as to the authority respectively of the stipendiary magistrate and the high sheriff in regard to the control of the police and military; verbal deputation received hereon by witness from the high sheriff, who had the supreme authority, 5562–5570. 5587–5616——Witness does not recollect having had any consultation with the mayor about the propriety of using force, 5571–5576——The order directing witness to go to the election contained no instructions as to his functions, 5578–5586.

When application was made to the mayor for shelter for the police in the court-house it was a wet night; the high sheriff not being able to obtain the use of the court-house, housed them himself, 5617–5626——Circumstance of witness, after he had gone to the White Horse, having been aware that it was the head quarters of Mr. M'Cann and his party, 5628–5651.

Examination as to witness having ordered out and remained with the cavalry on the afternoon of Tuesday; the priests were addressing the people at the time, who were assembled in crowds, and much excitement, so that witness was naturally anxious, and apprehensive lest there should be some disturbance, 5652 *et seq.*——Doubt whether the infantry also were ordered out on Tuesday, 5672–5682——The police were also drawn up in the street on the Tuesday, 5716–5723.

Further reference to the attack on Kelly's house on Tuesday evening, and to the dispersion of the people afterwards, 5739–5747——Explanation as to witness having hesitated before taking the information tendered by Mr. Mayne on Tuesday; reason assigned for such hesitation, 5740–5742. 5748–5779——Further reference to the circumstance of witness having demurred to receive the information tendered by Mr. Mayne on the morning after the nomination, 5769–5771. 5891–5893.

Evidence to the effect that on the Wednesday, as well as the Tuesday, witness ordered the cavalry to parade about the streets in consequence of the great crowds assembled, and of their being in a very excited state, 5780 *et seq.*——Impression that the infantry were not called out on Wednesday, 5787–5790——Further statement as to the priests' speeches having been spoken of as exciting and inflammatory, 5801–5805.

Abusive language applied on Wednesday towards Captain Moore's supporters, 5812–5816. 5819, 5820——Witness saw stones flying about on Wednesday, and saw three or four houses in Peter-street attacked, and the windows broken, 5817–5841. 5855–5861——Witness had two or three rioters arrested on Wednesday for assaults, but they were subsequently bailed by young Mr. M'Cann, and at the subsequent petty sessions were discharged, 5842–5854. 5904–5906——Witness did not see any place of worship injured, but heard that the windows had been broken, 5862–5867.

Witness

Report, 1857—*continued.*

Derinzy, Thomas. (Analysis of his Evidence)—*continued.*

Witness did not see much of Mr. M'Cann at the White Horse; he was not staying there, 5868–5876——He does not recollect seeing Mr. M'Cann's sons at the White Horse, 5877–5880——Circumstance of Mr. St. George Smith having in witness's presence, at the high sheriff's, represented the town as being in an alarming state, 5882–5886——Reference to a report of an attack upon Mr. Richard Smith, 5887–5890.

Circumstance of witness having provided an escort for Mr. Mayne on the day after the nomination, 5893–5896. 5899——The excitement had considerably subsided on Thursday, the day after the nomination, but witness had some of the infantry in the streets in order to prevent any tendency to riot, 5897–5903——Belief that the cavalry were brought out on the Wednesday and not on the Tuesday, 5907——Witness did not offer protection to Mr. Mayne only after he did not want it, 5908, 5909.

If Captain Moore had gone to the poll, witness considers that there was sufficient force for the protection of his voters, 5990–5992.

"*Drogheda Conservative Journal.*" Witness is proprietor of the "Drogheda Conservative" newspaper, *M'Dougall* 466—— Circumstance of an article having appeared in witness's paper with reference to the list of Mr. M'Cann's committee, *ib.* 533–537. 555, 556——Witness was constantly about the streets, but was not molested, *ib.* 538–541.

Duffy. Inaccuracy of a statement that a man of the name of Duffy died from drink had in witness's house at the time of the election, *Harris* 1714–1716.

Durnin, Catherine. (Analysis of her Evidence.)—Wife of Michael Durnin, publican and grocer at Drogheda, 4210–4213——Particulars as to Edward Finlay having come to witness with an order for 5*s.* worth of drink, which witness declined to receive, and as to Patrick Long having subsequently told witness to give Finlay the drink, 4214–4244——The foregoing matter took place some day after the election, and Long said he gave Finlay the drink merely to get rid of him, 4217–4220. 4243. 4304–4339——The drink supplied to Finlay, and drink supplied to other men, to the amount of 3*l.*, was all put down to Long's account, and has not yet been paid, 4245–4260. 4295–4301——Supply of witness to different persons, as directed by Long, on the nomination day, to the amount of 3*l.*; witness cannot state who these men were, or how many there were, 4257–4303. 4310–4313.

Durnin, Michael. (Analysis of his Evidence.)—Is husband of the witness Catherine Durnin, 4340——Has not been tampered with by any one in regard to his evidence, 4341, 4342. 4402–4405——Statement as to Patrick Long, witness's brother-in-law, having given witness an order for 30*s.* worth of drink on the Monday after the election; he came to witness's house with the parties to whom the drink was to be given, 4343–4362. 4418–4430——Reference to an order for 3*l.* worth of drink given by Long to witness's wife; belief that this was two or three days before the nomination, 4363–4374——Particulars relative to an order for 5*s.* worth of drink given by Long to witness; this was part of the 30*s.* order given on the Monday after the election, and the reason assigned by Long for giving it, was to prevent Finlay from teasing him, 4375–4401. 4406–4420. 4431–4437.

E.

Election of 1847. Witness's windows were broken at the election of 1847; but that election was not nearly so violent as the last, *Jordan* 1571–1576. 1592–1594——Doubt as to the extent of the violence at Sir W. Somerville's election, *St. George Smith* 2982, 2983——The election of 1847 admits of no comparison with the last election, there having been no violence at all on the former occasion, *Rowland* 3667–3670. 3731–3745. 3784, 3785——Witness does not recollect whether the voters were escorted to the poll in 1847, *ib.* 3734–3745.

Witness considers that the last election was less violent than the election of 1847; examination hereon, *Pentland* 4508–4515; *Chadwick* 4618–4620. 4687–4708; *Ternan* 4991–4994; *Carty* 5191–5195. 6240, 6241.

Circumstance of witness having spent about 40 *l.* in bribing for Sir W. Somerville in 1847; much more was similarly spent by others, *Campbell* 4864–4882.

Election of 1852. Popularity of Mr. M'Cann at the election of 1852; there was no disturbance then, *M'Dougall* 560, 561——Circumstance of witness having been a candidate in 1852, and having resigned before the nomination through fear of violence, *Brodigan* 3132–3144. 3431–3438——In 1852 there were 1,500 "navvies" in Drogheda ready to be brought forward for Mr. M'Cann, *ib.* 3139. 3431——Explanation as to witness having written to Mr. M'Cann some days before the last election asking him to resign in witness's favour in return for witness's resignation in 1852, *ib.* 3145–3154.

Escort of Voters to the Poll. See *Protection for Voters.* *Violence and Excitement,* 4.

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Excitement. See *Violence and Excitement.*

Expenses of Candidates:

1. *Captain Moore.*
2. *Mr. Brodigan.*
3. *Mr. M'Cann.*

1. *Captain Moore:*

Explanation as to witness having calculated on the Saturday before the election that the contest would cost Captain Moore from 1,200 *l.* to 1,500 *l.*; grounds for this calculation, *St. George Smith* 2846–2887. 2955–2963——Witness told his committee he would not sanction the expenditure illegally of a single shilling, *Captain A. G. Moore* 3521——Between the Saturday and the day of nomination the estimated expense was first mentioned to witness, *ib.* 3522, 3523. 3533–3539——Doubt whether a sum of 1,200 *l.* or 1,500 *l.* could have been required for the legitimate purposes of Captain Moore's election, *Kelly* 3586, 3587——Before the formation of Captain Moore's committee, but not subsequently, witness was present on the occasion when there was some discussion about the expenses of the election, *Rowland* 3755–3778——Witness had nothing to do with the financial arrangements, *ib.* 3779–3781.

2. *Mr. Brodigan:*

Witness calculated that his election expenses would be about 300 *l.* or 400 *l.*, *Brodigan* 3095–3097. 3176, 3177——In calculating that his election expenses might be 300 *l.* or 400 *l.* witness did not include any expense in bringing up voters, *ib.* 3417–3420.

3. *Mr. M'Cann:*

Mr. M'Cann's expenditure was 326 *l.* 10 *s.* 5 *d.*, *Kelly* 3598——Witness was instructed by Mr. M'Cann to see that no money was spent illegally, and did all in his power to carry out such instructions, *Clinton* 6319, 6320——Witness gave strict injunctions to his agents not to sanction any illegal expenditure, and personally did all in his power to prevent any improper payments, *M'Cann* 6328–6333——Witness was agent for the election expenses of Mr. M'Cann, *Rath* 6347——Explains that with the exception of Mr. M'Cann's private bill at the hotel, and a few bills for car hire, the amount returned by witness to the election auditor represents the whole of the expenditure, *ib.* 6347–6353.

See also *Bribery. Out Voters.*

F.

Fairclough, Colonel. Violence and intimidation under which Colonel Fairclough voted for Mr. M'Cann, *Atkinson* 2457. 2461, 2462.

Finlay, Edward. (Analysis of his Evidence.)—Whitesmith at Drogheda, 2597——Promised to vote for Captain Moore; was subsequently canvassed by Mr. M'Cann's son, and went to Mr. M'Cann's committee-room, where he saw Mr. M'Cann's sons, but would not promise them his vote, 2598–2612——Received an order for 5 *s.* worth of drink from some gentleman at Mr. M'Cann's committee-room, 2613–2616.

[Second Examination.]—Witness is a Roman Catholic, 3786. 3788——He further states that he promised some days before the election to vote for Captain Moore, and that he subsequently went to Mr. M'Cann's tally-room in consequence of a message from Mr. M'Cann's sons, 3787, 3789–3801. 3935–3940——Went to the tally-room because he was afraid to refuse, 3797–3799——Persons seen by witness in the tally-rooms, 3802–3808——He was asked to vote for Mr. M'Cann, and, for his own protection, said he would not promise, 3809–3813——Mr. Patrick Long, one of the committee, followed witness out of the room, and still asking him for his vote, gave him an order for 5 *s.* worth of drink, 3815–3819. (Order hereupon to witness to withdraw.)

Conversation of witness, since his last answer, with Mr. Atkinson and Mr. Harvey, 3820–3830.

Occasion of Mr. Whearty, one of Mr. M'Cann's committee, having asked witness for his vote, 3831–3839——Further statement as to witness having gone to Mr. M'Cann's committee-room or tally-room in Shop-street; he was there three times, twice on the first day and once on the day of polling, 3840–3848. 3886, 3887——Witness cannot be positive whether his first visit to Mr. M'Cann's committee-room was on Wednesday, the nomination day, or the day before, but it certainly was after he had promised to vote for Captain Moore, 3844. 3858. 3879–3883. 4020–4047. 4099–4108. 4119–4134.

Presence of Mr. Whearty in the committee-room on each occasion when witness was there; witness also saw him in company with Mr. M'Cann's sons, but not with Mr. M'Cann himself, 3849–3878——Witness never told a man of the name of John O'Neall that no poor man should vote without money, 3888, 3889——Nor did witness ever send his wife to O'Neall to ask for money, 4076–4081——Witness is not a freeman, 3890–3891——Statement as to Whearty having brought witness and Patrick Burn, another voter, from the tally-room to Lynagh's public-house on the Tuesday or Wednesday, where

Report, 1857—*continued.*

Finlay, Edward. (Analysis of his Evidence)—*continued.*

where he gave them some drink, and held out some promise if they would vote for Mr. M'Cann, 3893-3912——After Burn and witness had polled for Mr. M'Cann, Whearty again took them to Lynagh's and paid for some drink for them, 3913-3927.

Particulars as to witness having seen Patrick Long on more than one occasion in Mr. M'Cann's committee-room, where he seemed to be engaged upon the business of the election, 3927-3982——Further statement as to Long having asked witness for his vote, and given him an order for 5*s.* worth of drink; the order was upon his brother-in-law, Michael Durnin, 3983-3999——Durnin declined at first to give witness the drink, saying that the order was not in Long's handwriting, upon which witness sent for Long, who said he wrote the order, and directed Durnin to supply witness with the drink, 4000-4010.

Witness voted for Mr. M'Cann because of threats held out to him by some coal porters on the nomination day, 4011-4024——Witness was canvassed by Mr. St. George Smith and Captain Moore on the morning of the day, whether Tuesday or Wednesday, that he first went to Mr. M'Cann's tally-room, 4028-4047. 4099-4108. 4119-4134——Way in which witness got rid of the 5*s.* worth of drink; he did not use much of it himself on the same evening, and was not drunk, 4048-4075.

Witness did not go to the house of a man named Mr. Currey in order to see what he could get for his vote, 4082-4092——Witness never actually promised young Mr. M'Cann or Long that he would vote as they asked him, 4095-4098. 4109-4111——Pecuniary resources of witness adverted to in connexion with the imputation of his wishing to sell his vote, 4112-4118. 4135.

Freemen. As regards the freemen of Drogheda, witness has no reason to suppose they are venal at elections, *R. Smith* 933-947——Witness never said it would be necessary for Captain Moore to buy a good many freemen, *Morton* 2585-2589——At least forty of the freemen are open to bribery, *Campbell* 4885-4887.——*See* also *Bribery.*

G.

Gibney, James. (Analysis of his Evidence.)—Boiler-maker at Drogheda; has been employed on some ironworks where Mr. St. George Smith is a partner, 5913-5916——In consequence of directions from John Smith, a mechanic on the works, witness and several other workmen went to the Tholsey or court-house on the nomination day, 5917-5939. 5988——Conduct of these men in the court-house; they had been directed to cheer when Captain Moore and his friends spoke, but witness did not do so, 5940-5953. 5973-5977——After the nomination, the men escorted Captain Moore and others to the committee-rooms at Mr. Kelly's, 5954——Witness and the men subsequently had some drink; at whose expense witness does not know, 5955-5964.

Circumstance of witness not having obtained any wages for the day he was at the court-house; the reason assigned by John Smith was, that he did not cheer enough, 5965-5968. 5978-5988. 6000-6002——On the evening before the nomination, witness saw Mr. M'Dougall, printer, giving money to a mob in front of his house, 5969-5972——In telling witness to go to the court-house, John Smith said he had orders from Mr. Frederic Smith, son of Mr. St. George Smith, 5981. 5988. 6003——Witness continued at the ironworks up to about a month ago, 5989-5994——He was only sent for a day or two ago to attend the Committee, 5995-5999.

Gordon, Captain Sir William. (Analysis of his Evidence.)—Captain in the 17th Lancers, 344——Arrived with his troop in Drogheda from Dublin on the Tuesday before the election, 345-352——Excited state of the town on Tuesday; necessity of the presence of the military and police, 353. 364——Both on Tuesday and Wednesday the priests harangued the people and created much excitement, making the election a question of religion, &c., 345-376. 390, 391——Influence of the priests over the people, 372, 373. 388, 389——Excited state of the town on the Wednesday as well as the Tuesday; great crowds about, 374-378.

Witness saw several supporters of Captain Moore insulted; stones were thrown and two policemen were struck, one of whom was nearly killed, 379-382. 441-460——Witness could not act without the orders of Mr. Derinzy, the stipendiary magistrate; the troops, however, were not attacked, 383-389. 420-428——The town was in a very excited state until it was declared that Mr. M'Cann had been successful, 392-397.

Part taken by witness and his troop on the polling day; circumstance of their not having been called upon to escort any voters to the poll, 398-405. 429-437. 447, 448——Reference to the retirement of Mr. Moore on the nomination day, after which the contest lay between Mr. Brodigan and Mr. M'Cann, 406-412——Captain Moore did not leave Drogheda when he resigned, through fear of going away unprotected, 416-420——How far the voters were obstructed in going to the poll, 430-436. 461-465——On the Thursday the town was in a very disturbed state, 437-440.

H.

Hammond, Thomas. (Analysis of his Evidence.)—Lives near Drogheda; is an elector for the borough, 2330–2333——Is a Roman-catholic, 2334——Was mayor of Drogheda in 1855; 2335——Is a Liberal, but was opposed to Mr. M'Cann on public grounds, and determined to support Captain Moore, 2336–2340——Quiet state of the town on the Monday preceding the election, 2341–2347——Favourable reception given to Captain Moore when canvassing on Monday, 2345, 2346——Extremely excited state of the town on the Tuesday, 2349–2359——Strong expression used towards witness on Tuesday by Mr. Hughes, a Roman-catholic clergyman, 2355–2357. 2404–2407.

Threatening demeanour of the people towards witness on arriving in the town on the nomination day, 2362–2365——Witness went to the house of the sub-sheriff, and remained there nearly all day in a state of durance, 2365–2375——Attacks made on witness whenever he attempted to leave the sub-sheriff's, 2367. 2369——Violent attack made by the mob on Mr. Rowland, a linen manufacturer, 2367——Unwillingness displayed by Mr. Derinzy, the stipendiary magistrate, to take steps for the protection of those who were in danger, 2368–2376. 2414–2419——Difficulty before Mr. Brodigan could get from the hotel to the sub-sheriff's house, 2370–2376.

The town was in a tumult throughout the whole of Wednesday, 2377, 2378——Belief that Captain Moore's supporters could not have voted without endangering their lives, 2378——Witness was prevented from going from Dublin to vote for Mr. Brodigan by a telegraphic message from the sub-sheriff, 2380–2382. 2397–2400——Grounds for concluding that, but for the intimidation and riot, Captain Moore would have succeeded if he had gone to the poll, 2383–2391. 2408–2412——Several persons voted for Mr. M'Cann through intimidation, 2387, 2388. 2411, 2412.

Impression as to Mr. M'Cann having opposed an effort made to get witness into the commission of the peace, 2392-2396——Efforts of the priests to allay the tumult after Captain Moore had resigned, 2400–2403. 2413——Much tumult might have been prevented by a proper exercise of power, 2420——Public grounds upon which witness subscribed to the petition, 2421, 2422.

Hanratty, Rev. Patrick. (Analysis of his Evidence.)—Roman-catholic clergyman at Drogheda; resides in the archbishop's house, 6148, 6149——Is an elector, 6150——Addressed the people from the balcony of Mr. M'Cann's hotel on the Monday, Tuesday, and Wednesday evenings before the election, 6152, 6153——Tenor of witness's remarks on Monday and Tuesday; denial that he used certain expressions attributed to him, 6150–6172. 6225–6234——Circumstances which caused witness to speak, 6163. 6240–6243——It was clear that, unless bribery was resorted to, Mr. M'Cann would be returned, 6163, 6164——Reference by witness, in his speeches, to the Roman-catholics who supported Captain Moore; he did not comment upon them personally, 6165-6169.

Witness seconded Mr. M'Cann at the Tholsel, 6174, 6175——On the Monday or Tuesday witness saw the soldiers in the streets, when the addresses were being made from the hotel; this was some time after daylight, 6176–6189. 6224. 6235, 6236——Witness cautioned the people against violence, 6190. 6201——Also against receiving bribes, *ib.*——No exception was taken at the time to witness's speeches, 6191–6193.

Outline of witness's speech at the nomination, 6194–6198. 6246–6251——Interruptions offered whilst witness was speaking, 6199, 6200. 6256——Object and tenor of witness's speech from Mr. M'Cann's hotel after the crowd had left the nomination, 6201, 6202. 6252–6255——Witness did not see any violence on the day of the nomination, but some windows were broken, 6203–6208——There was no real ground for apprehension as to the peace of the town, and there was no necessity for calling out the troops, 6209–6217.

Witness volunteered to speak from the hotel; he did not ask his brother clergymen to do so, 6218–6223. 6240–6243——Witness was asked by Mr. Boylen to second Mr. M'Cann, 6244, 6245——After witness had spoken at the nomination he retired, and cannot speak to what subsequently transpired, 6257–6271——Witness does not recollect having been thanked by any of Captain Moore's party for the conduct of the priests, 6272–6274——Witness got a Speaker's warrant from the petitioners, but was not further called upon to attend as one of their witnesses, 6275–6278.

Harris, Captain. Doubt whether Captain Harris, who proposed witness at the nomination, had promised to vote for Captain Moore, *Brodigan* 3117–3124.

Harris, Joseph. (Analysis of his Evidence.)—Grocer at Drogheda, 1610–1613——Was one of Captain Moore's supporters, 1614–1618——The first disturbance in the town was on the evening of Monday before the election, 1619, 1620. 1625–1627——Reference to some notes made by witness of the violence in the town, 1620–1624——On the Tuesday evening the violence was so great that witness dared not for his life leave his house; the mob threatened witness with violence, but he shut up his house, and no injury was committed, 1625–1636.

Witness

Report, 1857—*continued.*

Harris, Joseph. (Analysis of his Evidence)—*continued.*

Witness went to the nomination, at which the excitement was fearful, 1637, 1638——Effect of a speech of Father Hanratty in creating excitement, 1638——Irritating and improper speech made by the mayor after the nomination, 1638. 1689–1692——Particulars as to the great damage done by the mob to witness's house on the night of the nomination; a great quantity of stones were thrown through the windows; samples of these produced, 1640–1646——Application made by witness to Mr. Atkinson and Mr. Cory for protection from the mob, 1647–1649. 1699——If Captain Moore had not retired, neither life nor property would have been safe, 1650. 1718. 1737.

Witness, who is a vintner or publican, as well as a grocer, kept his house open during the election, but it was not frequented as usual, 1651–1670——Further statement relative to the attack on witness's house, and the stones thrown into it; steps taken, whereby his children were protected from the stones, 1671–1677. 1719–1732——Explanation as to witness having claimed 4 *l.* for compensation, and having reduced the claim to 2*l.* 12*s.* 6*d.*, the amount lost by the broken glass, 1678–1688. 1733–1735.

Circumstance of witness having on Captain Moore's retirement supported Mr. Brodigan, though he was afraid to vote for him, 1693–1700——Witness was afraid to leave his house on the polling-day when there was still much excitement, 1701. 1711–1713——A man of the name of John Stewart was badly beaten on the polling-day, 1702–1710——Inaccuracy of a statement that a man of the name of Duffy died from drink had in witness's house at the time of the election, 1714–1716——The placard announcing Captain Moore's retirement alluded to the danger of his going on with the election, 1717, 1718.

Harvey, Richard. (Analysis of his Evidence.)—Tradesman at Drogheda; is a voter, 1927–1931——On Monday, the 30th March, and Tuesday, the 31st, large crowds assembled before the hotel where Mr. M'Cann's committee sat, and were addressed by the priests and others, 1932–1951——Violent speech made by the Rev. Mr. Montague on Tuesday evening; mention of some of the expressions used by him, 1952–1954. 2120——Strong language used by the Rev. Mr. Hanratty in his speech, which was principally directed against those Roman-catholics who were supporting Captain Moore, 1955–1971. 2120——Remarks made by Mr. M'Kenna, an attorney, who was very busy in Mr. M'Cann's interest, 1972, 1973.

After the speeches on the Tuesday evening the mob attacked Captain Moore's tally-rooms, and broke several windows with stones, 1974, 1976. 1982–1986——Witness spoke to Mr. Cory and Mr. Derinzy about the interference of the police, but nothing came of it, 1976, 1977——Mr. Derinzy went after the mob and was knocked down, 1978–1980.

Excited state of the crowd waiting outside the Tholsey or court-house on the day of nomination; they were all let in shortly after the doors were opened, 1987——Extreme violence in the court-house; it was directed exclusively against the supporters of Captain Moore and Mr. Brodigan, 1987–1995——Attack made upon Mr. Jordan in the court-house, 1990, 1991——It was impossible to hear Captain Moore proposed or seconded, 1992–1994——Violence of the people towards Mr. Cuney, who seconded the nomination of Mr. Brodigan, 1995–2000——Attack made on Mr. Henry Moore, a voter, 2000–2006——Attack upon Mr. Rowland, whose father was on Captain Moore's committee, 2007, 2008.

Witness applied to Mr. Derinzy again on Wednesday for protection for Captain Moore's voters, but without effect, 2008–2011. 2027——Attack upon Mr. Jordan when returning home on Wednesday evening, 2012–2016——Particulars as to an attack on Wednesday night on Mr. Jordan's house, which was greatly damaged thereby, notwithstanding the presence of police, who did not interfere, so far as witness saw, 2017–2026. 2056–2070——Several stones were thrown into Dr. Atkinson's house on Wednesday evening, 2026.

Firm conviction of witness that it would have been dangerous to life to attempt to vote for Captain Moore, 2028, 2029——Witness was so intimidated that he would not vote, 2029–2031——Statement as to witness's shop having been open on Wednesday and other days; the shutters were occasionally put up through fear of an attack, 2032–2055. 2088, 2089. 2147–2150——Witness was not aware there was any infantry in the town barracks, 2071–2075.

Witness did not vote at all; he stayed at home during the polling on account of the excitement, 2076–2089——Further evidence relative to the speeches of the priests and others from Mr. M'Cann's hotel on the evening before the nomination, 2090–2120. 2134–2146——Witness was threatened on Tuesday evening, but was not hurt, 2090–2097——Course taken by witness at former elections, 2098–2107——Further evidence as to the delay before the people were admitted into the court-house on the nomination morning; doubt as to whose orders they were admitted by, 2122–2133. 2151–2197.

Rough treatment experienced by the high sheriff in the court-house after the admission of the mob, 2158–2161——Position occupied by the sheriff in the court-house; there

Report, 1857—*continued.*

Harvey, Richard. (Analysis of his Evidence)—*continued.*

were no police near him to whom he could give orders to control the mob, 2181–2194——Witness understood that the police were under the orders of the stipendiary magistrate, and not of the high sheriff, 2198–2202——Witness could not hear the contents of the Queen's writ when read, 2203–2205.

Heeney, Captain. Mention of Captain Heeney, captain of one of the Drogheda steamers as a Roman-catholic supporter of Captain Moore, *St. G. Smith* 2821–2829.

High Sheriff. Mr. Verdon, who has been high sheriff since a short time before the election, was one of Captain Moore's supporters, but did not take an active part, *Mayne* 18–22. 309–317——Reference to the retirement of Mr. Brodigan, as high sheriff, in order to be qualified as a candidate; this was a short time before the election, *ib.* 306–317——Witness has been high sheriff of the county of the town of Drogheda since a short time before the late election; succeeded Mr. Brodigan, *P. Verdon* 563–565——Explanation as to witness having suggested the appointment of Mr. Verdon as high sheriff, though opposed to Mr. M'Cann, *Brodigan* 3071–3083.

See also *Committee Rooms* (*Captain Moore*). *Informations. Nomination. Stipendiary Magistrate.*

Hughes, Rev. Mr. Strong expressions used towards witness on day before the nomination by Mr. Hughes, a Roman-catholic clergyman, *Hammond* 2355–2357. 2404–2407.

I.

Inflammatory Speeches. See *Roman-catholic Clergy.*

Informations. Information, upon oath, tendered by witness to Mr. Derinzy, the stipendiary magistrate, at ten o'clock on Tuesday evening, the day before the nomination, in regard to the violence of the people, and the necessity of protection therefrom, *Mayne* 67–71——Statement as to Mr. Derinzy having refused to receive an information prepared by witness on Thursday in consequence of his apprehension of outrages, *ib.* 138–145. 343——Witness reads the information in question, *ib.* 141——The information was eventually taken by Mr. Fogarty, one of the local magistrates, *ib.* 145——Improved conduct of the mob after the information was taken, *ib.* 146–148.

Statement as to Mr. Mayne having wished witness to take an information from him on the day after the nomination; witness objected, as the information rather reflected upon himself, but escorted Mr. Mayne to a magistrate, who took the information, *Derinzy* 5484–5486——Explanation as to witness having hesitated before taking the information tendered by Mr. Mayne on Tuesday; reason assigned for such hesitation, *ib.* 5740–5742. 5748–5779——Further reference to the circumstance of witness having objected to receive the information tendered by Mr. Mayne on the morning after the nomination, *ib.* 5769–5771. 5891–5893——Witness did not offer protection to Mr. Mayne after he did not want it, *ib.* 5908, 5909.

Intimidation. Previously to the determination to resign, several of Captain Moore's supporters stated they were in fear of their lives, through the violence of the people, *Mayne* 124–135——Fear expressed by Mr. Bagnall, one of the petitioners, on the nomination day, that his life would be imperilled if he voted for Captain Moore; attack previously made on his house, *ib.* 125–131——Reference to a letter to one of the magistrates from Joseph Harris, a supporter of Captain Moore's, applying for protection from the mob; fear therein expressed of the sacrifice of life and property; *Cory* 1246–1251——Some supporters of Captain Moore told witness that they dare not vote for him after what the priest said, *Clarke* 1300–1302——Witness, who is not generally unpopular in Drogheda, would hardly have dared to vote for Captain Moore, *ib.* 1340–1344——The violence of the mob would have deterred Captain Moore's voters generally from going to the poll, *ib.* 1340–1369.

Circumstance of witness having, on Captain Moore's retirement, supported Mr. Brodigan, though he was afraid to vote for him, *Harris* 1693–1700——Witness was afraid to leave his house on the polling day, when there was still much excitement, *ib.* 1701. 1711–1713——Witness promised to vote for Captain Moore, *Bagnall* 1741, 1742——Made up his mind on Wednesday that he would not vote unless properly protected, *ib.* 1744. 1749–1754.

Reference to a speech by a solicitor of the name of M'Kenna, suggesting means of making the voters support Mr. M'Cann, *E. M. Verdon* 1796–1798; *Harvey* 1972, 1973——Witness was so intimidated, that he would not have voted for Captain Moore, *Harvey* 2029–2031——Witness did not vote at all; he stayed at home during the polling on account of the excitement, *ib.* 2076–2089.

Witness, who is a miller and dealer in meal, promised before the election to vote for Captain Moore; was afterwards canvassed for Mr. M'Cann, *T. Moore* 2206–2217——On the evening before the nomination, several of the mob came to witness's house, and he

Report, 1857—*continued.*

Intimidation—continued.

he was obliged to give them money to prevent their doing damage, *T. Moore* 2218–2234——Previously to the election the people frequently came to witness's shop, and so interfered with his business that his receipts dropped from 20*l.* or 30*l.* a day to 27*s.* one day, *ib.* 2239–2250. 2259–2266. 2282–2285——In consequence of the interference of the people witness made a complaint to Dr. Atkinson the magistrate, *ib.* 2251–2258——Witness eventually voted for Mr. M'Cann; he was forced by several people to go to the poll and voted through intimidation, *ib.* 2267–2281. 2305–2315——Witness never said he should make 50*l.* by his evidence, *ib.* 2301–2303.

Several persons voted for Mr. M'Cann through intimidation, *Hammond* 2387. 2388. 2411. 2412——A great many voters polled for Mr. M'Cann, who but for the intimidation would have voted for Captain Moore; list of those voters, 57 in number, and explanation thereon, *Atkinson* 2457–2465. 2500–2523. 2537——Several voters have told witness that they would not have dared to vote had Captain Moore gone to the poll, *St. George Smith* 2705. 2994–2996.

Witness could not venture out on the election day, *Brodigan* 3046, 3047——The small number of votes given for witness is attributable to the violence and intimidation, *ib.* 3126–3129——Belief that witness's father, who employs 500 or 600 weavers, voted for Mr. M'Cann through intimidation, *Rowland* 3645–3650.

Witness went to Mr. M'Cann's tally-room, as asked to do by Mr. M'Cann's sons, because he was afraid to refuse, *Finlay* 3797–3799——He was asked to vote for Mr. M'Cann, and, for his own protection, said he would not promise, *ib.* 3809–3813——He voted for Mr. M'Cann, because of threats held out to him by some coal porters on the nomination day, *ib.* 4011–4024——He was canvassed by Mr. St. George Smith and Captain Moore on the morning of the day, whether Tuesday or Wednesday, that he first went to Mr. M'Cann's tally-room, *ib.* 4028–4047. 4099–4108. 4119–4134——He never actually promised young Mr. M'Cann or Patrick Long, that he would vote as they asked him, *ib.* 4095–4098. 4109–4111.

See also *Assaults on Voters.* *Fairclough, Colonel.* *Roman-catholic Clergy.*

J.

Johnson, Michael. Violent treatment of witness at the nomination by one Michael Johnson, a supporter of Mr. M'Cann, *Mayne* 106–108. 253–255——Threat used towards witness in the court-house by Michael Johnson, *Brodigan* 3052–3054.

Jordan, Christopher. (Analysis of his Evidence.)—Magistrate for Drogheda, and for the county of Louth; is a Roman-catholic, 1456–1458——Is intimately connected with the town of Drogheda, 1459–1463——Supported Captain Moore at the election, having never approved of Mr. M'Cann, 1464–1471——Attended Captain Moore in his canvass; had not the smallest doubt of his success, 1472–1485.

Violence displayed by the mob towards witness on Tuesday, the day before the nomination, 1486–1489——Violent attack by the mob on Tuesday evening upon the house where Captain Moore's committee sat; no one dared to leave the house, 1488–1500——Ill-treatment of witness and Captain Moore's friends before they could get into the court-house on the nomination morning, 1501–1507——Circumstance of the court-house door not being opened until Mr. Carty, the mayor, arrived with Mr. M'Cann's friends, 1509–1512.

Great uproar and violence during the nomination of Captain Moore on the Wednesday, 1515, 1516——Neither Mr. Smith, the proposer, nor witness the seconder of Captain Moore, could obtain a hearing, 1516–1520——Abuse and rough treatment experienced by witness in the court-house, 1516–1520——Witness called on the sheriff for protection, and demanded an adjournment of the nomination, but the sheriff could not enforce order, 1518–1520——Ill-treatment of Mr. Brodigan's supporters at the nomination, 1520——Mr. Brodigan received a severe blow from a leaden ink-stand, 1521, 1522——Abuse and violence displayed towards witness on leaving the court-house, 1523–1527. 1577–1579.

Determination arrived at by Captain Moore's committee on the evening of the nomination, that on account of the violence and intimidation he had better withdraw from the contest, 1528–1531. 1607. 1609——Witness and two members of the committee were opposed to Captain Moore's retirement, feeling sanguine of his success, 1529. 1531. 1607——The election could not have gone on without bloodshed, 1531.

Attack made on witness on his way home on Wednesday evening, 1532–1536——After his arrival home, several violent attacks were made on his house; considerable damage done to the house by the large stones thrown by the mob on this occasion, 1537–1546——Circumstance of witness having been nicknamed "Miss Kitty" by the mob, 1547–1549——Witness did not communicate with Mr. Derinzy or the military officers before the determination to withdraw Captain Moore, 1550–1555——Witness did not vote at all, and was not in Drogheda during the polling, 1556–1561.

Report, 1857—*continued.*

Jordan, Christopher. (Analysis of his Evidence)—*continued.*

Several Roman-catholic gentlemen supported Captain Moore, 1562–1568——Witness had no dispute with the priests before the election, 1569, 1570——Witness's windows were broken at the election of 1847, but that election was not nearly so violent as the late election, 1571–1576. 1592–1594——Captain Moore was almost a stranger to the Drogheda electors, 1580, 1581——He has nothing to do with the petition, 1582——Witness has subscribed to the petition; public grounds on which he did so, 1583–1591.

Further statement as to the high sheriff not having adjourned the nomination; lives would probably have been lost had he attempted it, 1595–1597. 1602, 1603——It was found impossible to carry out an arrangement made with the sheriff for admitting to the court-house by tickets, 1600–1603——Doubt whether anything was said about a petition before withdrawing Captain Moore, 1604–1607——It was thought impossible properly to protect the voters by having increased military assistance from Dublin, 1608, 1609.

Jordan, Mr. See *Assaults on Voters. Damage to Houses. Nomination*, I. 2; II. 2.

K.

Kelly, Bernard. (Analysis of his Evidence.)—Was election auditor for Drogheda, 3560——Produces the accounts, and gives sundry explanations in connexion with items therein, 3561–3572——Witness has been sub-sheriff at former elections, but resigned the office last February, before being appointed auditor, 3573, 3574. 3595–3597——State of the town as regards excitement and violence at the election of 1847, as compared with the late election, 3575–3587. 3604–3619——Doubt whether a sum of 1,200 *l.* or 1,500 *l.* could have been required for the legitimate purposes of Captain Moore's election, 3586, 3587——The out-voters to be brought to the poll from any distance were few in number, 3588–3591. 3598–3603——Impression that ordinary means would not have secured a majority of forty for Captain Moore, 3592–3594.

Kelly, Thomas. See *Committee Rooms* (*Captain Moore*).

L.

Liberal Candidates. Return of late years of Liberal candidates for Drogheda, *M'Dougall* 516–521.

Long, Patrick. Particulars as to witness having seen Patrick Long on more than one occasion in Mr. M'Cann's committee-room, where he seemed to be engaged upon the business of the election, *Finlay* 3927–3982.——*See* also *Treating*, 2.

M.

M'Cann, James (*Member of the House*). (Analysis of his Evidence.)—Has been Member for Drogheda since 1852; had not previously contested the borough, 6324–6327——Gave strict instructions to his agents not to sanction any illegal expenditure, and personally did all in his power to prevent any improper payments, 6328-6333——Made a full canvass of the electors, which Captain Moore could not have done in two or three days, and felt sure of success, provided a large sum were not expended by his opponents in bribery, 6334–6336. 6343——Considers that any expense in bringing up out-voters could not have justified so large an expenditure on the whole as 1,200 *l.* or 1,500 *l.*, 6336-6346.

M'Cann, Mr., M. P. Resolution of the Committee that Mr. M'Cann is duly elected, *Rep. p.* iii.

M'Dougall, Alexander. (Analysis of his Evidence.)—Proprietor of the "Drogheda Conservative" newspaper, 466——Is a voter for the borough, 467——Statement as to witness having seen Mr. M'Cann, on the 28th of March, about the insertion of two advertisements in the "Conservative" paper; these were afterwards left at witness's office by Mr. M'Cann, 468–478. 528, 529——Witness inserted the advertisements in question, and produces a portion of the paper containing one of the advertisements, and showing a list of persons who had formed themselves into a committee for securing Mr. M'Cann's return, 479–484——The money for the advertisements was paid by Mr. M'Cann's agent for election expenses, 486–489.

Riotous state of the town during the three days preceding the polling, 490–493——Precautions taken by witness to protect his house and family from the violence of the mob; no injury was actually committed, 490–515. 530–532. 557–559——Return of late years of Liberal candidates for Drogheda, 516–521——Intimate association of Mr. M'Cann

Report, 1857—*continued.*

M'Dougall, Alexander. (Analysis of his Evidence)—*continued.*

M'Cann with the town, 522, 523——Witness voted for Mr. Brodigan; he was not obstructed in doing so, and did not see others obstructed in voting similarly, 524–527. 542–554.

Circumstance of an article having appeared in witness's paper with reference to the list of Mr. M'Cann's committee, 533–537. 555, 556——Witness was constantly about the streets, but was not molested, 538–541——Popularity of Mr. M'Cann at the election of 1852; there was no disturbance then, 560, 561.

M'Dougall, Mr. On the evening before the nomination witness saw Mr. M'Dougall giving money to a mob in front of his house, *Gibney* 5969–5972.

M'Ghee, Mr. Violence inflicted by the mob on Mr. M'Ghee, conducting agent to Mr. Brodigan, *Atkinson* 2459–2461——Reference to violent assault committed upon Mr. M'Ghee, witness's agent, *Brodigan* 3023–3026——Evidence relative to Mr. M'Ghee; he was agent at former elections, and is well fitted for the office, *ib.* 3098–3109. 3421–3430——Witness paid Mr. M'Ghee a retaining fee of 20 *l.*, *ib.* 3110–3116.

Macken, Rev. James. (Analysis of his Evidence.)—Roman-catholic clergyman at Drogheda, 6004, 6005——Is subject to Dr. Dixon, the Roman-catholic archbishop, 6006–6008——Did not sign the list of the committee of Mr. M'Cann, 6009——Addressed the people for about five minutes from the balcony of Mr. M'Cann's hotel on the evening before the nomination; this was the only occasion of his doing so, 6010–6013. 6030——On the Monday evening before the election Mr. Hanratty and Mr. Montague addressed the people from the hotel, their remarks being chiefly directed against bribery, 6015–6024. 6073–6086——Witness never heard Mr. Hanratty or Mr. Montague use certain expressions attributed to them; mention of some of their expressions, 6025–6029. 6087–6093.

Witness had never made a public speech before, and on the occasion did so reluctantly, and merely because he was urged by some one on the balcony to do so, 6031, 6032. 6094–6097. 6126–6133——Nature of witness's remarks; they were chiefly directed against bribery, and referred also to the "superism" which had been going on in the town, 6033, 6034. 6065–6069——Other clergymen addressed the people on Tuesday evening in favour of Mr. M'Cann; they did not produce unusual excitement, 6045–6050. 6098–6118.

Witness spoke in the capacity of a voter, and his remarks were not objected to by any of the authorities, 6051–6058——Circumstance of the priests not having addressed the people about bribery at the election of 1852; 6059–6065. 6086. 6140–6142——The speeches on Tuesday were not delivered in daylight; it was quite dark at the time, 6112–6125——Before speaking witness did not consider it necessary to ask the permission of his superior, Dr. Dixon, 6134–6136. 6143–6147——Witness got a warrant from the petitioners' party, but was not served with a subpœna, 6139.

M'Kenna, Mr. Remarks made by Mr. M'Kenna, an attorney, who was very busy in Mr. M'Cann's interest, *E. M. Verdon* 1796–1798; *Harvey* 1972, 1973.

Magistrates. Witness has no complaint to make against any magistrate who supported Mr. M'Cann, *Derinzy* 5520, 5521.

Mayne, Pelham Joseph. (Analysis of his Evidence.)—Solicitor in Dublin, 6, 7——Has been intimately acquainted with Drogheda all his life, 8. 292——Was agent for Captain Moore at the late election, 9——Very favourable manner in which Captain Moore was received by the electors when conducting his canvass on Saturday, the 28th March, and the following Monday, 10–30——Mention of several influential Roman-catholic gentlemen as zealous supporters of Captain Moore, 16–18. 200–209——Mr. Verdon, who has been high sheriff since a short time before the election, was of Captain Moore's supporters, but did not take an active part, 18–22. 309–317——After the second day's canvass Captain Moore's friends calculated on a majority of from forty to sixty, 29, 30.

Assemblage of large crowds on Monday evening, the 30th March, at the White Horse Hotel, where Mr. M'Cann's committee sat, and from the balcony of which speeches were being made, 31–41——Great excitement in the town on the afternoon and evening of Tuesday, 42 *et seq.*——The mob was addressed several times from Mr. M'Cann's committee-rooms, 43, 44. 339–342——Attacks made throughout Tuesday evening upon Captain Moore's committee-room; stones were thrown and several windows broken, 46–67.

Statement as to witness having on the Tuesday evening written to Mr. Carty, the mayor, who was chairman of Mr. M'Cann's committee, for a patrol of police near Captain Moore's committee-rooms; verbal answer to this application, 58–62. 337, 338——Information upon oath tendered by witness to Mr. Derinzy, the stipendiary magistrate, at ten o'clock on Tuesday evening, in regard to the violence of the people and the necessity of protection therefrom, 63–66——Patrol of police subsequently to this application to Mr. Derinzy, 67–71.

Arrangement made by witness with the high sheriff on the evening before the nomination day with a view to the preservation of the order at the nomination on the 1st March, 72–77——The high sheriff and Captain Moore and his friends were at the court-house at

Report, 1857—*continued.*

Mayne, Pelham Joseph. (Analysis of his Evidence)—*continued.*

half-past nine on the nomination day, as previously arranged, but could not get in till ten o'clock when the mayor arrived; ill-treatment suffered from the mob in the meantime, 78-95——The court-house was soon filled with Mr. M'Cann's party; difficulty of witness in finding a seat, 96-98.

Particulars as to the violent conduct of Mr. M'Cann's party during the proposing and seconding of Captain Moore and Mr. Brodigan; violence inflicted on Mr. Christopher Jordan, Mr. Brodigan, and witness, 99-111. 253-255——Frightful excitement in the town after the nomination, 112-114——Continuance of the excitement on Thursday, the 2d March, the day between the nomination and the polling, 115-118. 122. 136, 137.

Determination arrived at on the evening of the nomination, in consequence of the fear of bloodshed, that Captain Moore should resign, 118-120——The resignation was placarded on the following day, 120-123——Previously to the determination to resign, several of Captain Moore's supporters stated they were in fear of their lives through the violence of the people, 124-135.

Statement as to Mr. Derinzy having refused to receive an information prepared by witness on Thursday in consequence of his apprehension of outrages, 138-145. 343——Witness reads the information in question, 141——The information was eventually taken by Mr. Fogarty, one of the local magistrates, 145——Improved conduct of the mob after the information was taken, 146-148.

Circumstance of eleven persons whose property had been injured having made claims for compensation at the presentment sessions; statement hereon as to Mr. Carty, the mayor, having illegally assumed the chair on this occasion, and having by his casting vote decided against receiving the claims of the parties, 149-156. 160——Proceedings subsequently before the grand jury in regard to claims for compensation, 157——The matter eventually was settled at the assizes, and the parties were awarded compensation, 157-161——Less amount of compensation given than was claimed, 157. 162-171. 223-226.

Connexion of Mr. M'Cann with Drogheda previously to the last election, 175, 176——How far Captain Moore had had any connexion with Drogheda or any friends there, 177-182——Nature and period of witness's communications with Captain Moore relative to his coming forward as a candidate, 183-209——Further evidence relative to the violent conduct of the mob on different days, and to the rough treatment experienced by witness and others, 210-263. 330-336.

Circumstance of a notice having been served on Captain Moore, after the nomination, to declare his qualification, 264-269——Witness had made a return of Captain Moore's qualification to the election auditor, thinking he was the proper officer to receive it, 270-274. 329——Explanation as to a meeting between Mr. M'Cann and witness at the hotel after Captain Moore's determination to resign; witness did not drink to Mr. M'Cann's success, 275-290. 321-328.

In tendering the informations to Mr. Derinzy witness did not contemplate a petition, 291-305——Reference to the retirement of Mr. Brodigan, as high sheriff, in order to be qualified as a candidate; this was a short time before the election, 306-317——Captain Moore has nothing to do with the petition, and was only apprised of it by witness a day or two ago, 318-320.

Mayor of Drogheda. Irritating and improper speech made by the mayor after the nomination, *Harris* 1638. 1689-1692.

Witness is a merchant at Drogheda; has lived there all his life, *Carty* 5133, 5134——Has been high sheriff and is now mayor and magistrate, *ib.* 5135-5140——Popularity of witness, *ib.* 5261——How far witness as mayor is responsible for the peace of the town, *ib.* 5262-5265——Opinion that it was not inconsistent with witness's position to propose Mr. M'Cann at the nomination, or to act as chairman of his committee, *ib.* 5266, 5334——Witness acted as chairman of the committee on one occasion, *ib.* 5267-5279.

See also *Court House.* *Nomination*, I. 1; II. 1.

Military, The. Witness is a captain in the 17th Lancers, *Sir William Gordon* 344——Arrived with his troop in Drogheda from Dublin on the Tuesday before the election, *ib.* 345-352——Witness could not act without the orders of Mr. Derinzy, the stipendiary magistrate; the troops however were not attacked, *ib.* 383-389. 420-428——Part taken by witness and his troop on the polling day; circumstance of their not having been called upon to escort any voters to the poll, *ib.* 398-405. 429-437. 447, 448.

Circumstance of witness having on the day of the nomination telegraphed to Dublin for the continuance of the military in the town, as disturbances were apprehended, *P. Verdon* 671-675——Witness has seen excitement at former contested elections in Meath and Louth, but has not seen the military called out, *R. Smith* 924-932——Number of police, cavalry, and infantry in the town, *Cory* 1145-1152——The infantry were called out on two or three occasions, but the police were found sufficient to clear the streets, *ib.* 1153-1171. 1237, 1238——Reference to the election in Leitrim in 1852, at

Military, The—continued.

at which the military were required to escort voters to the poll, *ib.* 1172-1177——The infantry were in the streets both on the Tuesday and on the nomination day, *Clarke* 1350-1360.

Witness is a corporal in the 17th Lancers; arrived at Drogheda from Dublin on the Monday before the election, *Cope* 1370-1374——Witness and half his troop left Drogheda on Wednesday; they had not been called upon to act, but if called upon could easily have dispersed the people, *ib.* 1416-1455.

Necessity for the military being called out; witness did not interfere in the matter, *E. M. Verdon* 1891-1898——Grounds upon which witness considered it necessary to telegraph to Dublin about the troops, *P. Verdon* 1911, 1912——Witness was not aware there was any infantry in the town barracks, *Harvey* 2071-2075; *Captain A. G. Moore* 3550-3553.

Communication between witness and the military officers on the Tuesday before the nomination, *Derinzy* 5377-5383——The military, both infantry and cavalry, were ordered out by witness on Wednesday, and paraded the streets, but were not called upon to act, *ib.* 5455-5468——Practice in regard to requiring an information on oath before calling upon the military to act, *ib.* 5536-5553.

Examination as to witness having ordered out and remained with the cavalry on the afternoon of Tuesday; the priests were addressing the people at the time, who were in crowds and much excited, so that witness was naturally anxious and apprehensive, *Derinzy* 5652 *et seq.*——Doubt whether the infantry also were ordered out on Tuesday, *ib.* 5672-5682——Evidence to the effect that on the Wednesday as well as the Tuesday witness ordered the cavalry to parade about the streets, in consequence of the great crowds assembled, and of their being in a very excited state, *ib.* 5780 *et seq.*——Impression that the infantry were not called out on Wednesday, *ib.* 5787-5790.

The excitement had considerably subsided on Thursday, the day after the nomination, but witness had some of the infantry in the streets, in order to prevent any tendency to riot, *Derinzy* 5897-5903——Belief that the cavalry were brought out on the Wednesday and not at all on the Tuesday, *ib.* 5907.

On the Monday or Tuesday witness saw the soldiers in the streets when the addresses were being made from the hotel; this was some time after daylight, *Hanratty* 6176-6189. 6224. 6235, 6236——There was no necessity at any time for the military, *Montague* 6299-6302.

See also *Protection for Voters. Stipendiary Magistrate. Violence and Excitement.*

Montague, Rev. Francis. (Analysis of his Evidence.)—Of the four Roman-catholic curates at Drogheda Mr. Powderley alone has not attended as a witness, 6279.

Witness spoke occasionally from the balcony of Mr. M'Cann's hotel, his remarks having been almost entirely directed against bribery, 6280-6282——Denies that he called upon the people to vote for their priests and for God, or that he ever said that those who voted for Moore would vote for the devil, 6283-6288. 6303.

Witness did not observe any actual violence displayed during the election, but saw that some windows had been broken by the mob, 6289-6298——At the nomination there was some excitement in consequence of the unpopularity of Mr. Jordan, but during the day witness did not see any person attacked, 6291-6297——There was no necessity at any time for the military, 6299-6302.

Tendency of the public remarks made by others of the Roman-catholic clergy; there was no incitement to violence, 6304-6308——Witness did not promise the women three days' dispensation; probable origin of a certain rumour on this point, 6309-6313.

Moore, Captain Alexander George. (Analysis of his Evidence.)—Captain, on half pay, in the 17th Dragoon Guards; is aid-de-camp to Lord Seaton, 3462, 3463——Arrived in Drogheda on the Friday before the election, and commenced his canvass on the following day, 3464-3470——Was very favourably received by the electors, and by Tuesday morning concluded that his success was pretty certain, 3471-3473——Was also favourably received on the Saturday and Monday by the non-electors, 3474, 3475.

Violent demeanour of the mob towards witness and his supporters on Tuesday, the day before the nomination, 3476, 3477——Considerable damage done to witness's committee-rooms on the evening of Tuesday; some very large stones came through the windows, 3477-3483——Very violent conduct of the mob whilst witness and his friends were waiting for admission to the court-house on the nomination morning, 3484-3486.

Violence attending the rush into the court-house, 3487, 3488. 3511-3520. 3557——Great tumult in the court-house; witness could not obtain a hearing, 3489-3492——Explanation as to the newspaper having contained a speech by witness at the court-house, 3493-3497——Threatening attitude and demeanour of the people in the streets after the nomination, 3498-3501.

Report, 1857—*continued.*

Moore, Captain Alexander George. (Analysis of his Evidence)—*continued.*

Recommendation by witness's committee on the evening of the nomination that witness had better retire or loss of life would ensue, 3502-3504——The chairman of the committee said at the time that there was a clear majority of about forty for witness if he went on, 3503——Witness fully concurred in the views of his committee as to the propriety of his retiring, and at once wrote to Mr. M'Cann announcing his determination, 3503. 3505. 3510——Ample qualification possessed by witness as candidate, 3506-3509.

Witness told his committee he would not sanction the expenditure illegally of a single shilling, 3521——Between the Saturday and the day of nomination the estimated expense was first mentioned to witness, 3522, 3523. 3533-3539——Date and character of the first communication to witness about his coming forward as a candidate, 3524-3534——Nothing was ever said to witness about its being necessary to pay the freemen, 3540-3542.

Meeting of witness, after he had retired, with Mr. M'Cann, 3543-3546——Explanation as to witness having had no discussion with any of the authorities about providing protection for his voters, 3547-3556——Witness did not know there were infantry in the town, 3550-3553——Not a word was said about a petition when witness resigned, 3558——Witness has nothing to do with the petition, 3559.

Moore, Henry. Attack made on Mr. Henry Moore, a voter, on the nomination-day, *Harvey* 2000-2006.

Moore, Thomas. (Analysis of his Evidence.)—Miller and dealer in meal at Drogheda, 2206-2210——Promised before the election to vote for Captain Moore, and was afterwards canvassed for Mr. M'Cann, 2212-2217——On the evening before the nomination several of the mob came to witness's house, and he was obliged to give them money to prevent their doing damage, 2218-2234——Witness went into the court-house at the nomination, but was afraid of the people, and slipped out through one of the windows, 2234-2238.

Previously to the election the people frequently came to witness's shop, and so interfered with his business that his receipts dropped from 20*l.* or 30*l.* a day to 27*s.* one day, 2239-2250. 2259-2266. 2282-2285——In consequence of the interference of the people witness made a complaint to Dr. Atkinson, the magistrate, 2251-2258——Witness eventually voted for Mr. M'Cann; he was forced by several people to go to the poll, and voted through intimidation, 2267-2281. 2305-2315——Witness has not been drunk since his arrival in London, 2286-2300——He never said he should make 50*l.* by his evidence, 2301-2303——He was not personally injured during the election, 2304.

Morton, Robert. (Analysis of his Evidence.)—Is an elector of Drogheda; his father is in business in Dublin, 2538-2543——Intended to vote for Captain Moore at the late election, 2544——On the Monday and Tuesday evenings before the election heard Mr. Montague and other priests address the people about the election; language used by them, 2545-2553. 2570-2574. 2581-2584——Witnessed a very violent attack upon Mr. Jordan's house, when stones were thrown in volleys, 2554-2556.

Witness was not hurt by the mob, 2567-2569——The people were still very excitable on the polling day, but there was no difficulty in voting, 2577-2580. 2595, 2596——Witness never said it would be necessary for Captain Moore to buy a good many freemen, 2585-2589——The town was quiet the day before the election, 2590-2594.

N.

Naylor, James Richard. (Analysis of his Evidence.)—Chief clerk in the Crown Office, 1; produces the writ and return for the last election for Drogheda; the return is dated 4 April 1857; 2-4.

NOMINATION:

I. *Evidence on the Part of the Petitioners:*

1. Want of Arrangement in regard to Admission to the Court House; Violence before Admission.
2. Tumult, Insult, and Violence during the Nomination.
3. Inability of the Sheriff to restore Order or to adjourn the Nomination.

II. *Evidence on the Part of the Sitting Member:*

1. Explanation as to the Mode of Admission to the Court House.
2. Statement as to the Proceedings during the Nomination.

III. *Conclusions of the Committee.*

I. *Evidence on the Part of the Petitioners:*

1. Want of Arrangement in regard to Admission to the Court House; Violence before Admission:

Arrangement made by witness with the high sheriff on the evening before the nomination day with a view to the preservation of order at the nomination on the 1st March,

Mayne

Report, 1857—*continued.*

NOMINATION—continued.

I. *Evidence on the Part of the Petitioners*—continued.

1. Want of Arrangement in regard to Admission to the Court-house; Violence before Admission—*continued.*

Mayne 72-77——The high sheriff and Captain Moore and his friends were at the court-house at half-past nine on the nomination day, as previously arranged, but could not get in till ten o'clock, when the mayor arrived, *ib.* 78-82. 95——Inability of the sheriff to keep the mob out of the court-house at the nomination, *Mayne* 83-87; *St. George Smith* 2970-2975.

Very excited and violent conduct of the mob previously to the opening of the court-house on the morning of the nomination, *Mayne* 88-94; *R. Smith* 876-885; *Cory* 1185-1888; *Clarke* 1330-1333; *Jordan* 1501-1507; *E. M. Verdon* 1809-1813; *Harvey* 1987; *St. George Smith* 2652-2664; *Captain A. G. Moore* 3484-3486——The court-house was soon filled with Mr. M'Cann's party; difficulty of witness in finding a seat, *Mayne* 96-98——Arrangements made in order that each candidate should be equally represented at the nomination, *P. Verdon* 584-588——This arrangement was defeated through the court-house doors not being opened until Mr. Carty arrived, when the place was filled chiefly by the friends of Mr. M'Cann, who rushed in very impetuously, *ib.* 589-612. 707-709.

Circumstance of the court-house door not being opened until Mr. Carty, the mayor, arrived with Mr. M'Cann's friends, *Jordan* 1509-1512——It was found impossible to carry out the arrangement made with the sheriff for admitting to the court-house by tickets, *ib.* 1600-1603——Refusal of Mr. Clinton, Mr. M'Cann's solicitor, to adopt a proposition by witness's father for admitting an equal number of each party into the court-house for the nomination, *E. M. Verdon* 1802-1807——The mayor has the control of the key of the court-house, which was not opened till he arrived, *E. M. Verdon* 1808. 1814-1816; *Harvey* 2179.

Encouragement given by the Rev. Mr. Montague to the violence of the people outside the court-house on the nomination day, *E. M. Verdon* 1810——Assault made on Mr. Brodigan before entering the court-house, *ib.* 1813——Part taken by Mr. Clinton in regard to admission to the court-house further adverted to; approval of his conduct in other ways, *ib.* 1879-1890——Explanation of the course taken by witness in order to secure an impartial hearing in the court-house; admission by ticket, as proposed, was not assented to by Mr. M'Cann's agent, *P. Verdon* 1899-1904. 1925, 1926.

Evidence as to the delay before the people were admitted into the court-house on the nomination morning; doubt as to whose orders they were admitted by, *Harvey* 1987. 2122-2133. 2151-2197——The crowd waiting outside the tholsey were all let in shortly after the doors were opened, *ib.* 1987——Rush into the court-house when the doors were opened; admission given after a short delay to the people at large, when the place was densely crowded, *St. George Smith* 2661-2665——Further statements as to the first rush into the court-house when the doors were opened; witness and several of the more respectable inhabitants got in upon this occasion, *ib.* 2802-2810.

Great difficulty experienced by witness in getting into the court-house on the nomination morning, *Brodigan* 3013-3018——Witness expected that the admission to the court-house would have been by ticket, but this plan was not carried out, *ib.* 3018-3019——Violence attending the rush into the court-house, *Captain A. G. Moore* 3487, 3488. 3511-3520. 3557——Pressure under which the sheriff was obliged to admit the mob into the court-house, *Rowland* 3679.

2. Tumult, Insult, and Violence during the Nomination:

Particulars as to the violent conduct of Mr. M'Cann's party during the proposing and seconding of Captain Moore and Mr. Brodigan; violence inflicted on Mr. Christopher Jordan, Mr. Brodigan, and witness, *Mayne* 99-111. 253-255——During the nomination, neither Captain Moore, Mr. Brodigan, nor those who proposed and seconded them, could obtain a hearing; the mob, moreover, was extremely insulting, *Mayne* 101-103; *P. Verdon* 617-629. 783-793; *R. Smith* 886-896. 993-996. 1020-1027. 1039-1041; *Jordan* 1516. 1520; *Harvey* 1992-1994——Mr. Jordan was abused and ill-treated in a most scandalous manner, being spat upon all over in a most disgusting manner, *Mayne* 101——*P. Verdon* 722-741. 746-750; *R. Smith* 995; *Clarke* 1337; *E. M. Verdon* 1819, 1820; *Harvey* 1990, 1991; *Rowland* 3664-3666——Mr. Jordan's coat was torn off his back, *Mayne* 101.

Witness never saw so much violence or excitement at any former nomination; particulars hereon, *P. Verdon* 613-635. 703 *et seq.*——An ink bottle was thrown at Mr. Brodigan, *ib.* 716-721——Witness was spat upon, and filth was thrown at him, *R. Smith* 886, 887——Violent attack made in the court-house on Mr. Mayne, *R. Smith* 888-892; *Rowland* 3657-3659——Mr. Smith, who is witness's uncle, and a Protestant, was much less badly treated than Mr. Jordan by the mob, Mr. Jordan being a Roman Catholic, *R. Smith* 994-996. 1020-1024. 1039-1041.

Report, 1857—*continued.*

NOMINATION—continued.

I. *Evidence on the Part of the Petitioners*—continued.

2. Tumult, Insult, and Violence during the Nomination—*continued.*

Great violence at the nomination; the scene was fearful beyond conception, *Clarke* 1332-1335——Mr. Jordan was so spat upon that it was like a shower of snow, *ib.* 1337——Great disturbance and violence throughout the entire proceedings at the court-house, *Jordan* 1515, 1516; *St. George Smith* 2675-2686; *Brodigan* 3020. 3051——Particulars of the abuse and rough treatment experienced by witness in the court-house, *Jordan* 1516-1520——Witness was obliged to whisper into the sheriff's ear that he seconded Captain Moore, *ib.* 1520——Ill-treatment of Mr. Brodigan's supporters, *ib.*——Mr. Brodigan received a severe blow from a leaden ink-stand, *ib.* 1521, 1522.

Witness went to the nomination, at which the excitement was fearful, *Harris* 1637, 1638——Tremendous confusion when the people rushed into the court-house; it was like hell let loose, *E. M. Verdon* 1817, 1818——Refusal of Mr. M'Cann's nephew to interfere to prevent Mr. Jordan being assaulted and ill-treated, *ib.* 1820-1826——The extreme violence in the court-house was directed exclusively against the supporters of Captain Moore and Mr. Brodigan, *Harvey* 1987-1995——Violence of the people towards Mr. Cuney, who seconded the nomination of Mr. Brodigan, *ib.* 1995-2000——Witness could not hear the contents of the Queen's writ when read, *ib.* 2203-2205——Witness went into the court-house at the nomination, but was afraid of the people, and slipped out through one of the windows, *T. Moore* 2234-2238——Mr. Jordan and several others bore visible marks of their rough treatment at the nomination, *Atkinson*, 2447-2449.

Witness proposed Captain Moore, *St. George Smith* 2617——Attention paid by the people during the nomination of Mr. M'Cann, *ib.* 2666, 2667——In proposing Captain Moore witness could not obtain a hearing, nor could Mr. Jordan in seconding the nomination, *ib.* 2668-2674——Explanation as to the newspaper having contained a speech said to have been delivered by witness, *ib.* 2721, 2722——Mr. M'Cann asked the people to give witness a hearing at the nomination, but they would not do so, *ib.* 2727, 2728. 2933-2937——Mr. Jordan, who was spat upon by the mob, was much worse treated than witness, *ib.* 2729-2731——Witness is not aware that any damage was done to the court-house, *ib.* 2799-2801——Witness was obliged to bawl into the high sheriff's ear the name of the person whom he proposed, *ib.* 2936, 2937.

Improbability of witness, or his proposer or seconder, obtaining a hearing, *Brodigan* 3020——Circumstance of witness having been struck on the head with an ink bottle, which, but for his hat having protected his temple, might have seriously injured him, *ib.* 3021, 3022. 3203-3206——Great tumult in the court-house; witness could not obtain a hearing, *Captain A. G. Moore* 3489-3492——Explanation as to the newspaper having contained a speech by witness at the court-house, *ib.* 3493-3497——Stones were flung at Captain Moore, *Rowland* 3663.

3. Inability of the Sheriff to restore Order or to adjourn the Nomination:

The high sheriff could not get access to the police and expressed his inability to adjourn the nomination, *Mayne* 101——Statement as to witness having been called upon to adjourn the nomination; he declined to do so, but only through fear of increased disturbance, *P. Verdon* 766-780. 808-812——Witness called on the sheriff for protection, and demanded an adjournment of the nomination, but the sheriff could not enforce order, *Jordan* 1518-1520——Further statement as to the high sheriff not having adjourned the nomination; lives would probably have been lost had he attempted it, *ib.* 1595-1597. 1602, 1603.

Inability of witness to do anything towards securing order in the court-house, or to adjourn the nomination, as requested by Captain Moore's friends; had he the power to compel an adjournment he certainly would have done so, *P. Verdon* 1904-1908. 1915-1924——Rough treatment experienced by the high sheriff in the court-house after the admission of the mob, *Harvey* 2158-2161——Position occupied by the sheriff in the court-house; there were no police near him to whom he could give orders to control the mob, *ib.* 2181-2194——Inability of the sheriff to carry out by force an adjournment of the nomination, *St. George Smith* 2976-2979——Non-introduction of any police into the court-house before the actual nomination, *ib.* 2984-2992.

II. *Evidence on the Part of the Sitting Member:*

1. Explanation as to the Mode of Admission to the Court-House:

On the day of nomination, Captain Moore's friends and some of Mr. M'Cann's friends got into the court-house when the doors were opened, after which the police prevented the body of the people from entering for fully five minutes, *Chadwick* 4622-4634.

There was no application to witness to admit the people by ticket to the court-house at the nomination, *Carty* 5160-5164——The court-keeper had the key of the court-house, and opened the doors on witness's arrival, and, by his directions, a little before ten o'clock, the hour fixed for the nomination, *ib.* 5165-5169——There was much difficulty in getting

NOMINATION—continued.

II. *Evidence on the Part of the Sitting Member*—continued.

1. Explanation as to the Mode of Admission to the Court-house—*continued.*

getting through the mob to the court-house door, but the friends of Captain Moore and Mr. M'Cann were first admitted, and the general mob kept back for five or ten minutes, much to their dissatisfaction, *Carty* 5168-5178.

Witness was at the court-house before the door was opened; there was a large crowd there, but witness did not see any one attacked, *Derinzy* 5418-5427——The great bulk of the people were kept back for a short time by the police after some of each party had entered, *ib.* 5428-5432.

2. Statement as to the Proceedings during the Nomination:

There was considerable noise and disturbance at the nomination, but not of a character which need have deterred Captain Moore from proceeding with the election, *Chadwick* 4631-4641——Witness saw Mr. Brodigan spat upon, *ib.* 4697——Neither Captain Moore, Mr. Brodigan, or their proposers or seconders, could be heard, *ib.* 4705-4708——Equal noise and bustle when Mr. Carty was made mayor, as at the late election, *ib.* 4758-4760.

As regards the conduct of the people at the nomination, there was as much noise as at the election of 1847, *Campbell* 4810-4825. 4922-4983——During Mr. Carty's speech in proposing Mr. M'Cann he was frequently interrupted by Captain Moore's party, *ib.* 4810-4814——Extent to which witness was able to hear any portion of the speeches of Captain Moore, or his proposer or seconder, at the nomination, *ib.* 4923-4959——Witness did not see an ink bottle thrown at Mr. Brodigan; he did not bear any marks of it about him, *ib.* 4964, 4965. 4969-4974——Mr. M'Cann did all he could to obtain a hearing for Captain Moore, *ib.* 4966-4968——Witness saw Mr. Jordan spat upon, but did not see his coat torn, *ib.* 4975-4977——Position of the high sheriff in the court-house; he was hooted by the people, *ib.* 4978-4982.

Considerable interruption by certain of Captain Moore's supporters to witness's speech in proposing Mr. M'Cann, *Carty* 5179-5190——After witness's speech he retired from the platform, and did not see what afterwards occurred, *ib.* 5190. 5287-5291.

Witness has been employed on some iron-works where Mr. St. George is a partner, *Gibney* 5913-5916——In consequence of directions from John Smith, a mechanic in the works, witness and several other workmen went to the tholsel or court-house, on the nomination day, *ib.* 5917-5939. 5988——Conduct of the men in the court-house; they had been directed to cheer when Captain Moore and his friends spoke, but witness did not do so, *ib.* 5940-5953. 5973-5977——After the nomination, the men escorted Captain Moore and others to the committee-rooms, at Mr. Kelly's, *ib.* 5954——Witness and the men subsequently had some drink; at whose expense witness does not know, *ib.* 5955-5964.

Circumstance of witness not having obtained any wages for the day he was at the court-house; the reason assigned by John Smith was, that he did not cheer enough, *Gibney* 5965-5968. 5978-5988. 6000-6002——In telling witness to go to the court-house, John Smith said he had orders from Mr. Frederick Smith, son of Mr. St. George Smith, *ib.* 5981. 5988. 6003——Witness continued at the iron-works up to about a month ago, *ib.* 5989-5994——He was only sent for a day or two ago to attend the Committee, *ib.* 5995-5999.

Witness seconded Mr. M'Cann at the tholsel, *Hanratty* 6174, 6175——Interruptions offered whilst witness was speaking, *ib.* 6199, 6200. 6256——After witness had spoken at the nomination, he retired, and cannot speak to what subsequently transpired, *ib.* 6257-6271——Witness was asked by Mr. Boylen to second Mr. M'Cann, *ib.* 6244, 6245.

III. *Conclusions of the Committee:*

Resolution of the Committee, that on the day of nomination, riotous and tumultuous proceedings took place in the court-house, *Rep. p.* iii.

Proper precautions were not taken by the authorities to ensure good order in the court-house at the nomination, *Rep. p.* iii.

See also *Assaults on Voters.* *Roman-Catholic Clergy.* *Violence and Excitement*, 2.

O.

O'Hagan, Mr. Determination of the Committee not to receive the evidence of Mr. O'Hagan, he having been present during the inquiry, *Ev. p.* 166.

Out-Voters. Reference to a suggestion by Thomas Kelly, the owner of Captain Moore's committee-rooms, that it might be necessary to spend money in bringing up some of the out-voters, *St. G. Smith* 2902-2909. 2996, 2997——Considerable expense anticipated in bringing to the poll several voters who lived at a distance, *ib.* 2958-2962.

Report, 1857—*continued.*

Out-Voters—continued.

The out-voters to be brought to the poll from any distance were few in number, *Kelly* 3588-3591. 3598-3603——Opinion that 100 *l.* would have been sufficient to pay the expense of bringing up the out-voters; there are not many of them, *Carty* 5246-5249. 5328-5333——Any expense in bringing up out-voters could not have justified so large an expenditure on the whole as 1,200 *l.* or 1,500 *l.*, *M'Cann* 6336-6346.

P.

Pentland, William Robert. (Analysis of his Evidence.)—Has been surgeon to the County Infirmary at Drogheda since 1818; 4438-4441——Is in politics a Liberal Conservative, 4443, 4444——In 1847, supported Sir W. Somerville, 4445-4447——Up to the end of the week preceding the late election, witness did not anticipate any serious contest, Mr. Brodigan's opposition not being at all serious, 4448-4450. 4549. 4550——In signing the address, promising to support Mr. M'Cann, witness did not calculate that he was to act as one of Mr. M'Cann's committee, 4451-4455. 4524-4528——Witness was not canvassed for Captain Moore; he was introduced to him on the day before the nomination, 4456-4458. 4609-4612.

On the Monday and Tuesday before the election, witness did not observe any particular excitement in the town, 4459-4465——Witness was not at the nomination, and was absent from the town a good deal on that day and the following day; moreover, he did not attend much to the business of the election, 4466-4470. 4509, 4510. 4515. 4565-4569. 4598-4605—— When witness was in town on the nomination-day, he had no difficulty in getting about, and business generally went on as usual, 4471-4477. 4484-4487——On the Thursday, the town did not seem at all disturbed, 4480-4486——There was no difficulty in going to the poll on Friday, 4488-4493.

Witness observed that some damage was done to Mr. Jordan's house, and to the windows of other houses, 4494-4496. 4542-4548——Circumstance of there having been some windows broken in Drogheda about a month before the election; doubt as to the cause, 4497-4501. 4574-4593——Witness considered that a majority of forty could not have been secured for Captain Moore by legal means, 4502-4506——No casualty was brought to the infirmary during the election, nor did witness see any one injured, 4507. 4594-4597. 4606-4608——So far as witness observed, there was less violence at the late election than in 1847; 4508-4515.

Respectability and influence of several of those who have testified to the dangerous excitement in the town, 4516-4523——Witness did not hear the priests' speeches, or see the priests going about; doubt whether there were such speeches at former elections, 4529-4541——Witness thought Captain Moore was late in the field, but expected he would have gone to the poll, 4551-4553——On the afternoon and evening of Tuesday, witness continued at home, and had not an opportunity of seeing what was going on out of doors, 4544-4564——As regards witness going about the town on the nomination-day, he was doubtless known as a supporter of Mr. M'Cann, and was not unpopular, 4570-4573.

Petition. In tendering the informations to Mr. Derinzy, witness did not contemplate a petition, *Mayne* 291-305——Captain Moore has nothing to do with the petition, and was only apprised of it a day or two ago, *ib.* 318-320——During the discussion as to the propriety of Captain Moore retiring nothing was said about a petition, *R. Smith* 1003-1013. 1028——The petition was spoken of after the election, *ib.* 1006-1013. 1029, 1030.

Witness has subscribed to the petition; public grounds on which he did so, *Jordan* 1583-1591; *Hammond* 2421, 2422; *Atkinson* 2489——Doubt whether anything was said about a petition before withdrawing Captain Moore, *Jordan* 1604-1607——Witness is one of the petitioners; is a boot and shoe maker at Drogheda; has lived there more than thirty years, *Bagnall* 1738-1740——The retirement had no reference to a petition, *St. George Smith* 2713-2715. 2917, 2918——Witness has subscribed 50 *l.* towards the expenses of the petition, *Brodigan* 3386-3389.

Not a word was said about a petition when witness resigned, *Captain A. G. Moore* 3558——Witness has nothing to do with the petition, *ib.* 3559.

Witness considers that the petition is due to his having successfully opposed Dr. Atkinson in competing for the office of mayor, *Carty* 5261.

Police, The. The police, about sixty or seventy in number, were on the nomination night lodged in the house of witness's son, both as a protection for the house and a shelter for themselves, *P. Verdon* 655-670.

Witness has been sub-inspector of constabulary at Drogheda for about five years, *Cory* 1042-1045——Had about 165 men under his command at the late election; was subject to the orders of the high sheriff and the stipendiary magistrate, *ib.* 1046-1051——Attacks made on witness; he was struck with stones, and pelted with dirt, and was much

Police, The—continued.

much hurt, *Cory* 1094–1115. 1189–1191. 1251——Serious injury inflicted on one of witness's men, *ib.* 1103, 1104——The police were brought to the town for the election, *ib.* 1196, 1197.

Explanation relative to the official reports made by witness to the Inspector-general in Dublin, *Cory* 1198–1205. 1239–1245——Disposition of the police on the polling day, *ib.* 1212–1215——Statement that witness considered himself under the orders of the high sheriff, and not under those of the stipendiary magistrate or local magistrate, *ib.* 1216–1223. 1227, 1228——Witness never had any refreshment at Mr. M'Cann's hotel during the election, *ib.* 1224–1226.

One of the police was disabled by the mob outside the court-house, *Clarke* 1331, 1332——The police could not of themselves have put down the people, *Cope* 1438–1440——Witness understood that the police were under the control of the stipendiary magistrate, and not of the high sheriff, *Harvey* 2198–2202——Communication between witness and Mr. Cory, about the police, on the Monday before the election; a large additional force was then expected, *Derinzy* 5366–5376——A policeman was hurt on Wednesday, but witness believes it was by accident, *ib.* 5440–5445.

See also *Protection for Voters.*

Poll-books. Witness produces the poll-books for the election, *Clements* 5.

Polling of Voters. See *Protection for Voters. Violence and Excitement,* 3.

Popular Candidate. Mr. M'Cann was doubtless the popular candidate, *St. George Smith* 2811.

Powderly, Rev. Mr. Of the four Roman-catholic curates at Drogheda, Mr. Powderly alone has not attended as a witness, *Montague* 6279.

Priests. See *Roman-Catholic Clergy.*

Prospect of Captain Moore's Return. See *Canvass of Electors, &c.*

Protection for Voters. It was thought impossible properly to protect the voters by having increased military assistance from Dublin, *Jordan* 1608, 1609——Steps which witness would have taken to protect Captain Moore's voters, had he gone to the poll, *P. Verdon* 1909, 1910——Impossibility of bringing the voters into the town without a very large force, *St. George Smith* 2703–2705——Expense anticipated in hiring men for the protection of Captain Moore's voters, *ib.* 2861–2880——Inadequate protection for voters on the polling day, *Brodigan* 3050——Explanation as to witness's having had no discussion with any of the authorities about providing protection for his voters, *Captain A. G. Moore* 3547–3556.

Ample means of protection in the town for Captain Moore's voters if they had gone to the poll, *Campbell* 4851–4858; *Carty* 5227–5232——Two or three people applied to witness for protection on Wednesday, but an escort was not found necessary for them; witness did not refuse protection to any one who applied for it, *Derinzy* 5438, 5439. 5436–5438. 5486–5488——Witness believes he had force enough to protect Captain Moore's voters had he gone to the poll, *ib.* 5472. 5990–5992.

See also *Military, The. Police, The. Violence and Excitement.*

Q.

Qualification of Captain Moore. Circumstance of a notice having been served on Captain Moore, after the nomination, to declare his qualification, *Mayne* 264–269——Witness had made a return of Captain Moore's qualification to the election auditor, thinking he was the proper person to receive it, *ib.* 270–274. 329——Ample qualification possessed by witness as candidate, *Captain A. G. Moore* 3506–3509.

R.

Rath, John. (Analysis of his Evidence.)—Was agent for the election expenses of Mr. M'Cann, 6347——Explains that, with the exception of Mr. M'Cann's private bill at the hotel, and a few bills for car-hire, the amount returned by witness to the election auditor represents the whole of the expenditure, 6347–6353.

Register of Voters. There are above 600 voters on the register, *Rowland* 3687, 3688.

Religious Excitement. Reference to some placards which were objectionable to the priests, as having been posted about the town at different periods before the election, *Chadwick* 4767–4774——There had been some excitement in the town previously to the election on religious topics, *Ternan* 5013–5015——Up to the time of the election, placards, offensive to a certain religious class, had been posted about, *ib.* 5015——Excitement in the town in consequence of the proceedings of the Church missionaries; term "super" adverted to hereon, *Montague* 6290.——*See* also *Roman-Catholic Clergy.*

Report, 1857—*continued.*

Retirement of Captain Moore. Determination arrived at on the evening of the nomination, in consequence of the fear of bloodshed, that Captain Moore should retire, *Mayne* 118–120——The resignation was placarded on the following day, *ib.* 120–123——Retirement of Captain Moore on the nomination day; the contest then lay between Mr. Brodigan and Mr. M'Cann, *Sir W. Gordon* 406–412——When witness heard on the nomination evening of Captain Moore's resignation, he at once made it known, in order to check excitement, *P. Verdon* 816–824.

Concurrence in the opinion that, unless Captain Moore retired, his supporters would be in danger of their lives, *R. Smith* 919–923. 1032–1038; *Cory* 1143, 1144; *Jordan* 1531——Determination arrived at by Captain Moore's committee, on the evening of the nomination, that, on account of the violence and intimidation, he had better withdraw from the contest, *Jordan* 1528–1531. 1607. 1609——Witness and two members of the committee were opposed to Captain Moore's retirement, feeling sanguine of his success, *ib.* 1529. 1531. 1607——Witness did not communicate with Mr. Derinzy or the military officers before the determination to withdraw Captain Moore, *ib.* 1550–1555.

If Captain Moore had not retired, neither life nor property would have been safe, *Harris* 1650. 1718. 1737——The placard announcing Captain Moore's retirement alluded to the danger of his going on with the election, *ib.* 1717, 1718——Captain Moore could not have gone to the poll without risking the lives of his supporters, *Bagnall* 1755, 1756. 1773. 1778–1780; *E. M. Verdon* 1830, 1831; *Harvey* 2028, 2029; *Hammond* 2378; *Rowland* 3679——Witness took no part whatever in regard to Captain Moore's retirement, but considers his retirement was founded on good reasons, *P. Verdon* 1913, 1914.

Upon due consideration, a majority of the committee decided that Captain Moore had better retire, else bloodshed would ensue, *Atkinson* 2450——Witness and Mr. Jordan were in favour of Captain Moore going to the poll; but witness is now glad that the majority prevailed, for he believes that loss of life would have been the result, *ib.* 2450, 2451——After the determination to retire, Captain Moore wrote to Mr. M'Cann, notifying the same to him, *Atkinson* 2452. 2455; *St. George Smith* 2700, 2701——Copy of the address issued by the committee on the retirement of Captain Moore, *Atkinson* 2453.

Explanation as to witness, as chairman of Captain Moore's committee, having, by the direction of the committee, communicated to Captain Moore that he had better withdraw from the election, else life would be lost, *St. George Smith* 2690–2695——Placard issued by the committee, on the Wednesday evening, explaining the reasons of Captain Moore's withdrawal, *ib.* 2696-2699. 2706——Up to this time there was every reason for anticipating Captain Moore's success, had there been no intimidation, *ib.* 2702, 2703——Captain Moore put himself entirely in the hands of his committee, *ib.* 2707–2709——Witness held no communication with the military before the determination to retire, *ib.* 2767–2770. 2788–2798——Communication between witness and the high sheriff, after the nomination, but before the retirement, when witness said that the voters could not be brought to the poll without protection, *ib.* 2771–2787. 2938–2948.

Recommendation by witness's committee, on the evening of the nomination, that he had better retire or loss of life would ensue, *Captain A. G. Moore* 3502–3504——The chairman of the committee said at the time that there was a clear majority of about forty for witness if he went on, *ib.* 3503——Witness fully concurred in the views of his committee as to the propriety of his retiring, and at once wrote to Mr. M'Cann announcing his determination, *ib.* 3503. 3505. 3510——Meeting of witness, after he had retired, with Mr. M'Cann, *ib.* 3543–3546.

Witness, as high sheriff, was not consulted about Captain Moore's retirement, *Derinzy* 5469–5474.

See also *Canvass of Electors, &c.* *Intimidation.* *Protection for Voters.*

Riots. See *Assaults on Voters.* *Committee-Rooms* (*Captain Moore*). *Damage to Houses.* *Nomination.* *Violence and Excitement.*

Roman-Catholic Clergy:

1. *Generally as to the Priests' Speeches.*
2. *Reverend Patrick Hanratty.*
3. *Reverend James Macken.*
4. *Reverend Francis Montague.*
5. *Part taken by the Priests in Canvassing.*
6. *Influence of the Priests over the People.*

1. *Generally as to the Priests' Speeches:*

Both on the Tuesday and Wednesday before the election the priests harangued the people from the White Horse Hotel, and created much excitement, making the election a question of religion, &c., *Sir William Gordon* 345–376. 390, 391——Very exciting language used by some priests in addressing the people on the evening of Tuesday, the day before the nomination, *R. Smith* 846–859. 948–952. 1014–1019——Particulars as to some

Roman-Catholic Clergy—continued.

1. *Generally as to the Priests' Speeches*—continued.

some violent expressions used in the speeches made by the priests, *Clarke* 1265–1315. 1361–1368——On Monday evening witness heard young Mr. M'Cann and some priests address the crowd in front of the hotel in regard to their votes, *Cope* 1377–1389——On the evening of Tuesday witness again heard the priests address the people from the hotel; there was a great crowd, *ib.* 1396–1403. 1432–1437.

Reference to some speeches of the priests and others on the evening of Monday; great excitement in consequence, *E. M. Verdon* 1788–1800——Evidence relative to the speeches of the priests and others from Mr. M'Cann's hotel, in the evening before the nomination, *Harvey* 2090–2120. 2134–2146——On the Monday and Tuesday evenings before the election, witness heard Mr. Montague and other priests address the people about the election; language used by them, *Morton* 2545–2553. 2570–2574. 2581–2584 ——The priests said that in voting for M'Cann they voted for their God, *ib.* 2581.

Witness did not hear the priests' speeches, or see the priests going about; doubt whether there were such speeches at former elections, *Pentland* 4529–4541——On the evening of the nomination, witness was at the "White Horse" Inn, and heard that the people were addressed from the balcony, *Campbell* 4906–4912.

Reference to the priests' speeches as having tended chiefly to the prevention of bribery, *Ternan* 5005–5007. 5128–5132——The speeches did not create undue excitement; the people were even warned against any act of violence, *ib.* 5008–5011——Witness is not sure whether Mr. M'Cann was at the "White Horse" during the speeches on Monday and Wednesday evening, *ib.* 5069–5074. 5092–5098——Reference to speeches on Wednesday evening by Fathers Macken and Montague, *ib.* 5082–5091.

Witness was at the "White Horse" Inn, when some priests spoke from the balcony, but did not hear their speeches, *Carty* 5149–5152. 5312——Witness did not pay much attention to the priests' speeches, but heard them spoken of as inflammatory, *Derinzy* 5475–5483. 5801–5805.

On the Monday evening before the election, Mr. Hanratty and Mr. Montague addressed the people from the hotel, their remarks being chiefly directed against bribery, *Macken* 6015–6024. 6073–6093——The clergy advised the people to remain peaceable and quiet, *ib.* 6026——No clergyman ever said in witness's hearing, that those who voted for M'Cann voted for their priests and their God, and that those who voted for Moore voted for the devil, *Macken* 6027. 6087–6092; *Hanratty* 6173. 6226–6234; *Montague* 6305.

Circumstance of the priests not having addressed the people about bribery at the election of 1852; there was no contest then, *Macken* 6059–6065. 6068. 6140–6142—— There was no pre-arrangement about witness and the other clergy addressing the people in turn, *ib.* 6108–6111. 6126——The speeches on Tuesday were not delivered in daylight; it was quite dark at the time, *ib.* 6112–6125——Tendency of the public remarks made by others of the Roman-catholic clergy besides witness; there was no incitement to violence, *Montague* 6304–6308.

2. *Reverend Patrick Hanratty:*

Violent speech of the Reverend Mr. Hanratty, on the evening before the nomination, *Clarke* 1281–1290——Exciting language used by Mr. Hanratty on Monday evening, in calling upon the people to support Mr. M'Cann and oppose Moore, *Cope* 1388–1394 ——Father Hanratty again addressed the people on Tuesday; violent language used by him on that occasion, *ib.* 1408–1415——Remarks of Mr. Hanratty as to the way the people were to act towards a person whom he called "Miss Kitty," *ib.* 1408–1410.

Effect of a speech of Father Hanratty in creating excitement, *Harris* 1638——Strong remarks made by Mr. Hanratty in regard to the Roman-catholics who supported Captain Moore, *E. M. Verdon* 1791, 1792——Term "super" applied by Mr. Hanratty to the Roman-catholic friends of Captain Moore; meaning of this term, *E. M. Verdon* 1791, 1792; *Harvey* 1960–1967——Strong language used by the Rev. Mr. Hanratty, principally against those Roman-catholics who were supporting Captain Moore, *Harvey* 1955–1971. 2120——Extremely violent speech made by Mr. Hanratty at the nomination, *Rowland* 3671–3678——Mr. Hanratty spoke of Captain Moore as a bigoted northern Orangeman, *ib.* 3674, 3675——Mr. Hanratty also said that every voter who would vote for Moore, would vote against his religion and his God, *ib.* 3675.

Examination relative to speeches by Fathers Hanratty and Montague, from the balcony of the "White Horse," on the evening of Monday; question as to the use of certain expressions, *Ternan* 5039–5068. 5126–5129; *Macken* 6025–6029. 6087–6093——Doubt whether Mr. Hanratty said that the people were bound to vote for their priests and their religion, *Ternan* 5040. 5068——Impression that Mr. Hanratty never made use of such words as "the bloody Orange faction," or told the people they would vote for God if they voted for M'Cann, *ib.* 5041–5046——Witness does not recollect any allusion in the priests' speeches to Mr. Jordan, under the nickname of "Miss Kitty," *ib.* 5100–5108.

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ROMAN-CATHOLIC CLERGY—continued.

2. *Reverend Patrick Hanratty*—continued.

Witness is a Roman-catholic clergyman at Drogheda; resides in the archbishop's house, *Hanratty* 6148, 6149——Is an elector, *ib.* 6150——Addressed the people from the balcony of Mr. M'Cann's hotel on the Monday, Tuesday, and Wednesday evenings before the election, *ib.* 6152, 6153——Tenor of witness's remarks on Monday and Tuesday; denial that he used certain expressions attributed to him, *ib.* 6150-6172——Circumstances which caused witness to speak, *ib.* 6163. 6240-6243.

Reference by witness, in his speeches, to the Roman-catholics who supported Mr. Moore; he did not comment upon them personally, *Hanratty* 6165-6169——Witness cautioned the people against violence, *ib.* 6190. 6201——Witness cautioned the people against receiving any bribes, *ib.*——No exception was taken at the time to witness's speeches, *ib.* 6191-6193——Outline of witness's speech at the nomination, *ib.* 6194-6198. 6246-6251.

Object and tenor of witness's speech from Mr. M'Cann's hotel after the crowd had left the nomination, *Hanratty* 6201, 6202. 6252-6255——Witness volunteered to speak from the hotel; he did not ask his brother clergymen to do so, *ib.* 6218-6223. 6240-6243——Witness did not ask the people to vote "for" their priests and "for" their religion, or say that those who voted against M'Cann voted against Almighty God, *ib.* 6225-6234——Witness does not recollect having been thanked by any of Captain Moore's party for the conduct of the priests, *ib.* 6272-6274——Witness got a Speaker's warrant from the petitioners, but was not further called upon to attend as one of their witnesses, *ib.* 6275-6278.

Witness did not hear any allusion to Mr. Jordan in the speeches; a woman in the crowd alluded to him by the name of "Miss Kitty," *Montague* 6307, 6308.

3. *Reverend James Macken:*

Witness is a Roman-catholic clergyman at Drogheda, *Macken* 6004, 6005——Is subject to Dr. Dixon, the Roman-catholic archbishop, *ib.* 6006-6008——Did not sign the list of the committee of Mr. M'Cann, *ib.* 6009——Addressed the people for about five minutes from the balcony of Mr. M'Cann's hotel on the evening before the nomination; this was the only occasion of his doing so, *ib.* 6010-6013. 6030——Witness had never made a public speech before, and on the occasion did so reluctantly, and merely because he was urged by some one on the balcony to do so, *ib.* 6031, 6032. 6094-6097. 6126-6133.

Nature of witness's remarks; they were chiefly directed against bribery, and referred also to the "superism" which had been going on in the town, *Macken* 6033, 6034. 6065-6069——Other clergymen addressed the people on Tuesday evening in favour of Mr. M'Cann; they did not produce unusual excitement, *ib.* 6045-6050. 6098-6118——Witness spoke in the capacity of a voter, and his remarks were not objected to by any of the authorities, *ib.* 6051-6058——Before speaking witness did not consider it necessary to ask the permission of his superior, Dr. Dixon, *ib.* 6134-6136. 6143-6147——Witness got a warrant from the petitioner's party, but was not served with a subpœna, *ib.* 6139.

4. *Reverend Francis Montague:*

Inflammatory language of the Rev. Mr. Montague when addressing the people on the evening before the nomination, *R. Smith* 853-859. 948-952. 1014-1019; *Cory* 1068-1073—— Particulars of portions of Mr. Montague's speech on the Tuesday evening; great excitement created by it, *Clarke* 1296-1315. 1361-1368; *Cope* 1404-1407——Reference to a passage in Mr. Montague's speech about giving the women three days' dispensation, *Clarke* 1303-1308; *Cope* 1413, 1414——Exciting language used by Mr. Montague, *E. M. Verdon* 1793——Violent speech made by the Rev. Mr. Montague on Tuesday evening; mention of some of the expressions used by him, *Harvey* 1952-1954. 2120.

Witness never heard Mr. Hanratty or Mr. Montague use certain expressions attributed to them; mention of some of their expressions, *Ternan* 5039-5068. 5126-5129; *Macken* 6025-6029. 6087-6093——Mr. Montague probably said they would vote for their priests and their religion if they voted for M'Cann, *Ternan* 5052-5067.

Witness spoke occasionally from the balcony of Mr. M'Cann's hotel, his remarks having been almost entirely directed against bribery, *Montague* 6280-6282——Denies that he called upon the people to vote for their priests and their God, or that he ever said that those who voted for Moore would vote for the devil, *ib.* 6283-6288. 6303——Witness did not promise the women three days' dispensation; probable origin of a certain rumour on this point, *ib.* 6309-6313.

5. *Part taken by the Priests in Canvassing:*

Witness saw some priests canvassing for Mr. M'Cann, *P. Verdon* 684-686——Active parts taken by the priests in canvassing, *Clarke* 1316-1324.

6. *Influence of the Priests over the People:*

On the evening of Thursday, the day after the nomination, there were several priests about dispersing the mob, *Mayne* 148——Influence of the priests over the people, *Sir Wm. Gordon*

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Roman-Catholic Clergy—continued.

6. *Influence of the Priests over the People*— continued.

Wm. Gordon 388, 389——Excitement occasioned on Tuesday evening by the harangues of the priests from the "White Horse" Hotel, *Cory* 1061–1073——Circumstance of witness having thanked some of the priests for their exertions in dispersing the mob after the election, *ib.* 1206, 1207. 1229-1234——Power of the priests in exciting the people, *ib.* 1394——Efforts of the priests to allay the tumult after Captain Moore had resigned, *Hammond* 2400-2403. 2413——The excitement was mainly caused by the speeches of the priests, *Rowland* 3678. 3680-3682.

See also *Hughes, Rev. Mr.* *Powderly, Rev. Mr.*

Roman-Catholic Laity (Supporters of Captain Moore). Mention of several influential Roman-catholic gentlemen as zealous supporters of Captain Moore, *Mayne* 16–18. 200–209; *R. Smith* 839, 840. 1025–1027; *Jordan* 1562-1568; *St. George Smith* 2640, 2641. 2811-2835——Active support given to Captain Moore by Mr. Jordan, who possesses much local influence, *Mayne* 18. 207–209——Support given to Captain Moore by Mr. Hammond, an influential Roman Catholic, *ib.* 18. 206.

Witness, who is a Roman-catholic, and is high sheriff, was a supporter of Captain Moore, *P. Verdon* 794–797——The excitement of the people was very much directed against the Roman-catholic supporters of Captain Moore, *R. Smith* 1022–1025; *Cory* 1180–1184——Witness is a magistrate for Drogheda, and for the county of Louth; is a Roman-catholic, *Jordan* 1456–1458——Supported Captain Moore at the election, having never approved of Mr. M'Cann, *ib.* 1464–1471——Circumstance of witness having been nicknamed "Miss Kitty" by the mob, *ib.* 1547–1549——Witness had no disputes with the priests before the election, *ib.* 1569, 1570.

Witness is sub-sheriff of the county of the town of Drogheda; is son of the high sheriff, *E. M. Verdon* 1781, 1782——Is an elector, and opposed to Mr. M'Cann, *ib.* 1783–1785——Remark made by Mr. M'Cann on the day of nomination, that his Catholic opponents deserved what they got, *ib.* 1827, 1828.

Witness was mayor of Drogheda in 1855, *Hammond* 2335——Is a Liberal, but was opposed to Mr. M'Cann on public grounds, and determined to support Captain Moore, *ib.* 2336–2340——Several Roman-catholic voters were opposed to Mr. M'Cann, *ib.* 2388–2390. 2408–2410——Impression as to Mr. M'Cann having opposed an effort made to get witness into the commission of the peace, *ib.* 2392-2396.

Unpopularity of Mr. Jordan when canvassing with Sir W. Somerville in 1847, *Campbell* 4843–4850——The few Roman-catholic gentlemen who supported Captain Moore were not men of much popularity or influence, *Carty* 5250–5261.

Rowland, John Thomas. (Analysis of his Evidence.)—Solicitor at Drogheda, 3620, 3621 —— Acted as agent at the election of 1847, and was agent for Captain Moore at the last election, 3623–3627. 3728-3730——Very violent attack made on witness's house at the late election, 3628–3635——Violent attack also on his father's house, 3636–3638. 3641. 3648——Witness's father got about 2 *l.* as compensation for the damage done to his house, 3639, 3640——The house of witness's brother was saved from injury by outside shutters, but he himself was severely beaten by the mob, 3642–3644——Belief that witness's father, who employs 500 or 600 weavers, voted for Mr. M'Cann through intimidation, 3645-3650.

On the evening before the nomination a very violent attack was made upon Captain Moore's committee-rooms; the windows and doors of the house were smashed in, 3651–3653——Beating inflicted on one Shaw, a voter, 3654, 3655——Assault committed upon Mr. Mayne in the court-house on the day of nomination, 3657-3659——Threatening language used towards Captain Moore by Thomas Conolly, an active supporter of Mr. M'Cann, 3661-3663——Stones were flung at Captain Moore in the court-house, 3663 ——Peculiar ill-treatment received by Mr. Jordan at the nomination; he was spit upon in a most disgusting manner, 3664–3666.

As regards the election of 1847, it admits of no comparison with the last election, there having been no violence at all on the former occasion, 3667–3670. 3731–3745. 3784, 3785——Extremely violent speech made by Mr. Hanratty, Roman-catholic clergyman, at the nomination, 3671–3678——Pressure under which the sheriff was obliged to admit the mob into the court-house, 3677——The excitement was mainly caused by the speeches of the priests, 3678. 3680-3682——If Captain Moore had gone to the poll, the lives of his voters would not have been safe, 3679.

Witness went over the register, and calculated that Captain Moore would have a majority of 20, if deserted by the "Father Town" party, and, if not so deserted, a majority of nearly 100; 3683–3685. 3782, 3783——The opposite party knew that Captain Moore would have a majority; grounds for this statement, 3685. 3689–3697—— There are above 600 voters on the register, 3687, 3688.

Amount of compensation got by witness's father further adverted to, 3698–3707—— Further reference to the attack on the house of witness's father; it did not arise through

Report, 1857—*continued.*

Rowland, John Thomas. (Analysis of his Evidence)—*continued.*

the discontent of the men in his employment, 3708-3727——Witness does not recollect whether the voters were escorted to the poll in 1847; 3734-3745——As agent for Captain Moore, witness received 10*l.*; 3748-3751——How far witness may be said to have volunteered his evidence, 3752-3754——Before the formation of Captain Moore's committee, but not subsequently, witness was present on an occasion when there was some discussion about the expenses of the election, 3755-3778——Witness had nothing to do with the financial arrangements, 3779-3781.

Rowland, Richard. See *Assaults on Voters.*

S.

Shaw, ——. Beating inflicted by the mob on one Shaw, a voter, *Rowland* 3654, 3655.

Sitting Member. Connexion of Mr. M'Cann with Drogheda previously to the last election, *Mayne* 175, 176——Intimate association of Mr. M'Cann with the town, *M'Dougall* 522, 523.

Witness has been member for Drogheda since 1852; had not previously contested the borough, *M'Cann* 6324-6327.

Smith, Richard. (Analysis of his Evidence.)—Resides near Drogheda; is a voter for the borough, 826-830——Assisted Captain Moore in his canvass; was much surprised at the good reception he met with, and anticipated his election as certain, 831-841——Excited state of the mob on the Tuesday evening before the election, 842-845. 859-875——Very exciting language used by some priests in addressing the people on the evening of Tuesday, 846-859. 948-952. 1014-1019——Violence committed by the mob on Tuesday, towards Captain Moore's supporters; stones were thrown at them, and at the committee-room, 863-875. 916-918.

Excited and violent conduct of the mob previously to the opening of the court-house, on the morning of the nomination, 876-885——During the nomination neither Captain Moore, Mr. Brodigan, or those who proposed and seconded them, could obtain a hearing; the mob was moreover extremely insulting, 886-896. 993-996. 1020-1027. 1039-1041——Violent attack made in the court-house on Mr. Mayne, 888-892——Considerable violence displayed towards witness on the day of nomination; explanation hereon to the effect that his private character was not in any way the cause of his ill treatment, 897-915. 953-992——Witness fully concurred in the opinion that unless Captain Moore retired, his supporters would be in danger of their lives, 919-923. 1032-1038.

Witness has seen excitement at former contested elections in Meath and Louth, but has not seen the military called out, 924-932——As regards the freemen of Drogheda, witness has no reason to suppose they are venal at elections, 933-947——Circumstance of witness having been twice struck with stones thrown by the mob, 954-970——Witness was not in town after the nomination evening, 998-1002——During the discussion as to the propriety of Captain Moore retiring, nothing was said about a petition, 1003-1013. 1028——The petition was spoken of after the election, 1006-1013. 1029, 1030.

Smith, Lieutenant St. George. (Analysis of his Evidence.)—Proposed Captain Moore at the late election, 2617——Has been intimately connected with Drogheda all his life, 2618-2620——Was joined by several of the Liberal party in bringing forward Captain Moore as a candidate, 2621-2623——Captain Moore was not a stranger to Drogheda, 2624-2627. 2732-2734.

On the Saturday and Monday preceding the election, witness accompanied Captain Moore on his canvass, when he was very favourably received, 2628-2634——Witness and other supporters of Captain Moore went carefully through the register, and considered that Captain Moore had every chance of success, 2635-2639——Support given to Captain Moore by several influential Roman-catholics, 2640, 2641——Witness and his family have considerable influence in the borough, 2641, 2642.

Commencement of excitement in the town on Tuesday, the day before the nomination; interruption thereby to Captain Moore's canvass, 2643-2651——Terrible excitement outside the court-house on the morning of the nomination, until the mayor arrived, and the people were admitted, 2652-2661——Rush into the court-house when the doors were opened; admission given after a short delay to the people at large, when the place was densely crowded, 2661-2665.

Attention paid by the people during the nomination of Mr. M'Cann, 2666, 2667——In proposing Captain Moore, witness could not obtain a hearing, nor could Mr. Jordan in seconding the nomination, 2668-2674——Great disturbance and violence throughout the whole of the proceedings at the court-house, 2675-2686——Excitement of the crowd in the street after the nomination, 2687-2689.

Explanation as to witness, as Chairman of Captain Moore's Committee, having by the direction of the committee communicated to Captain Moore that he had better withdraw

Report, 1857—*continued.*

Smith, Lieutenant St. George. (Analysis of his Evidence)—*continued.*

draw from the election, else life would be lost, 2690–2695——Placard issued by the committee on the Wednesday evening explaining the reasons of Captain Moore's withdrawal, 2696–2699. 2706——Captain Moore wrote to Mr. M'Cann announcing his determination to withdraw, 2700, 2701——Up to this time there was still every reason for anticipating Captain Moore's success had there been no intimidation, 2702, 2703.

Impossibility of bringing the voters into the town without a very large force, 2703–2705——Several voters have told witness that they would not have dared to vote had Captain Moore gone to the poll, 2705. 2994–2996——Captain Moore put himself entirely in the hands of his committee, 2707–2709——The town was comparatively quiet on the Thursday and Friday, 2710——The real contest was between Mr. M'Cann and Captain Moore, 2711, 2712——The retirement had no reference to a petition, 2713–2715. 2917, 2918——Explanation as to the newspaper having contained a speech said to have been delivered by witness at the nomination, 2721, 2722.

Witness has no personal ill-will towards Mr. M'Cann, 2724–2726—Mr. M'Cann asked the people to give witness a hearing at the nomination, but they would not do so, 2727, 2728. 2933–2937——Mr. Jordan was spat upon by the mob, and was much worse treated than witness, 2729–2731——Captain Moore was first brought forward on the Saturday before the election, and at once published an address, 2732–2749——No actual attack was made on witness when going in or out of the town on the Tuesday or Wednesday, 2750–2766.

Witness held no communication with the military before the determination to retire, 2767–2770. 2788–2798——Communication between witness and the high sheriff after the nomination, but before the retirement, when witness said that the voters could not be brought to the poll without protection, 2771–2787. 2938–2948——Witness is not aware that any damage was done to the court-house, 2799–2801——Further statement as to the first rush into the court-house, when the doors were opened; witness and several of the more respectable inhabitants got in upon this occasion, 2802–2810.

Mr. M'Cann was doubtless the popular candidate, 2811——Further statement as to several influential Roman Catholics having been supporters of Captain Moore; names of some of these, 2811–2835——Circumstance of witness having kept out of the way for some time after the election of 1818, in consequence of an imputation of bribery, 2836–2842——Witness did not trust to the influence of money in order to secure Captain Moore's election; he was never applied to for money by any voters, and never authorised money to be given to any of them, 2843–2845. 2888–2911. 2957–2966. 2996, 2997——Explanation as to witness and the committee having calculated on the Saturday before the election that the contest would cost Captain Moore from 1,200 *l.* to 1,500 *l.*; grounds for this calculation, 2846–2887. 2955–2963.

Captain Moore's committee had nothing whatever to do with Mr. Brodigan's coming forward, 2881–2886. 2967–2969. 2993——On the day before the election the town was tolerably quiet, 2912–2914. 2919–2922——Explanation of the circumstances connected with the election of 1818, which induced witness to leave Drogheda for a time, 2922–2924——Some female members of witness's family canvassed on the Monday; doubt whether they did so on Tuesday, 2925–2930——Further reference to the violence in the streets after the nomination, 2939–2943. 2949–2954.

Inability of the sheriff to keep the mob out of the court-house at the nomination, 2970–2975——Inability of the sheriff to carry out by force an adjournment of the nomination, 2976–2979——At former elections the riot was as much on one side as the other, but at the late election it was all on one side, 2980, 2981——Doubt as to the extent of the violence at Sir W. Somerville's election, 2982, 2983——Non-introduction of any police into the court-house before the actual nomination, 2984–2992.

State of the Poll. Witness polled fourteen votes, *Brodigan* 3125.

Stewart, John. A man of the name of John Stewart was badly beaten on the polling-day, *Harris* 1702–1710.

Stipendiary Magistrate. Severe attack made on Mr. Derinzy, the stipendiary magistrate, on the evening before the election; he was rescued from the mob by witness, *Cory* 1126–1135. 1235, 1236——Witness spoke to Mr. Cory and Mr. Derinzy on Tuesday evening about the interference of the police, but nothing came of it, *Harvey* 1976, 1977——Mr. Derinzy went after the mob on Tuesday evening, and was knocked down, *ib.* 1978–1980——Witness applied to Mr. Derinzy on Wednesday for protection for Captain Moore's voters, but without effect, *ib.* 2008–2011. 2027——Unwillingness displayed by Mr. Derinzy, the stipendiary magistrate, to take steps for the protection of those who were in danger, *Hammond* 2368–2376. 2414–2419——Much tumult might have been prevented by a proper exercise of power, *ib.* 2420.

Impression that the stipendiary magistrate was the proper person to apply to for directing the military or police at the election, *Chadwick* 4775–4782——Communication between witness and Mr. Derinzy, the stipendiary magistrate, during the election; the

Report, 1857—*continued.*

Stipendiary Magistrate—continued.

latter showed witness instructions, giving him the control of the military and police, *Carty* 5198-5205——Witness is stipendiary magistrate at Trim, county of Meath; has no political connexion with Drogheda, *Derinzy* 5337-5341——On the 26th March was ordered to attend the election at Drogheda, and to be there on the 1st April, *ib.* 5342-5344——Arrived at Drogheda on Monday, the 30th March, and put up at the White Horse Inn, Simcox's Hotel, where he usually stops, having been fully occupied, *ib.* 5344-5355——Authority respectively of witness, as stipendiary magistrate, and of the high sheriff and local magistrates at the elections; witness did not supersede the local magistrates, *ib.* 5356-5365——Nature of the written report forwarded by witness each day to Dublin, *ib.* 5449-5454——Witness was on one occasion pushed down by one of the mob, but was not otherwise attacked, *ib.* 5490-5505——Witness endeavoured to act as impartially as possible, *ib.* 5519.

Examination as to the authority respectively of the stipendiary magistrate and the high sheriff in regard to the control of the police and military; verbal deputation received hereon by witness from the high sheriff, who had the supreme authority, *Derinzy* 5562-5570. 5587. 5616——Witness not recollect having had any consultation with the mayor about the propriety of using force, *ib.* 5571-5576——The order directing witness to go to the election contained instructions as to his functions, *ib.* 5578-5586——Circumstance of witness, after he had gone to the White Horse, having been aware that it was the head quarters of Mr. M'Cann and his party, *ib.* 5628-5651.

See also *Committee Rooms* (*Captain Moore*). *Military, The.* *Police, The.*

Stone-throwing. See *Assaults on Voters.* *Committee Rooms* (*Captain Moore*). *Damage to Houses.*

T.

Ternan, Patrick, Junior. (Analysis of his Evidence.)—Merchant at Drogheda; supported Mr. M'Cann, 4984-4987——Went over the registry with some others on the Monday evening before the election, and calculated upon a majority of at least 100 for Mr. M'Cann, supposing that bribery was not resorted to, 4988, 4989. 5109——It was considered that from seventy to eighty voters were amenable to bribery, and this made Mr. M'Cann's friends somewhat anxious, 4990. 5005, 5006.

Opinion that the last election was less violent than the election of 1847; 4991-4994——On the Monday and Tuesday the town seemed very quiet, 4998-5000——On Wednesday business went on as usual, and witness saw no violence except some damage done to Mr. Jordan's house, 5001-5004. 5012——Reference to the priests' speeches, as having tended chiefly to the prevention of bribery, 5005-5007. 5128-5132——The speeches did not create undue excitement; the people were even warned against any act of violence, 5008-5011——There had been some excitement in the town previously upon religious topics, 5013-5015.

Impression that but a very limited number of Roman Catholics would have supported Captain Moore without bribery, 5016-5024. 5136-5132——Witness does not recollect whether he was at the White Horse on the Tuesday evening, 5025-5029. 5075-5081——Mention of several priests at the White Horse on the Monday evening, 5030-5037——Examination relative to speeches by Fathers Hanratty and Montague from the balcony of the White Horse on the evening of Monday; question as to the use of certain expressions, 5039-5068. 5126-5129.

Witness is not sure whether Mr. M'Cann was at the White Horse during the speeches on Monday and Wednesday evenings, 5069-5074. 5092-5098——Reference to speeches on Wednesday evening by Fathers Machen and Montague, 5082-5091——Witness was one of the grand jury who left the room when some presentments were being considered in regard to damages to houses at the election; reason why he did so, 5097——Witness does not recollect any allusion in the priests' speeches to Mr. Jordan under the nickname of "Miss Kitty," 5100-5108——Persons present on the Monday evening when the registry was being scrutinised, 5110-5125.

Tholsey. See *Court-house.*

Thornton, James. (Analysis of his Evidence.)—Publican and grocer at Drogheda; voted for Mr. M'Cann, 4136-4142——Signed the requisition paper containing the names of those who formed themselves into a committee for Mr. M'Cann, 4143-4146——Statement as to witness having had some communication with Mr. Thomas Conolly, jun., on the evening before the nomination, and having on the following morning given 10*s.* worth of drink to some men whom Patrick Long brought to the house, 4147-4165——Subsequently to the election witness gave out more drink on the orders of Long, 4166-4170.

Long himself was generally drunk at the time of the election, 4171, 4172——Mr. M'Cann stated more than once that he would not allow one farthing to be given in drink,

Thornton, James. (Analysis of his Evidence)—*continued.*

drink, 4183-4187——Explanation of the circumstances under which witness signed the requisition or document in favour of Mr. M'Cann; he does not know who brought it to his house, 4188-4209.

TREATING:

1. *Mr. Brodigan.*
2. *Mr. M'Cann.*

1. *Mr. Brodigan:*

Witness was not aware that Corney, his agent, spent money in giving drink to the mob, and never authorised him to do so; he made some claim on witness after the election for expenditure in getting the mob away from his house, *Brodigan* 3237-3249. 3271-3275. 3457, 3458——Witness did not see Corney going about at the election offering beer and money to voters, *ib.* 3383-3385. 3390, 3391.

2. *Mr. M'Cann:*

Witness is a whitesmith at Drogheda, *Finlay* 2597——Promised to vote for Captain Moore; was subsequently canvassed by Mr. M'Cann's son, and went to Mr. M'Cann's committee-room, where he saw Mr. M'Cann's sons, but would not promise them his vote, *ib.* 2598-2612. 3787-3801. 3935-3940——Mr. Patrick Long, one of the committee, followed witness out of the room, and asking him for his vote, gave him an order for 5*s.* worth of drink, *ib.* 2613-2616. 3815-3819.

Further statement as to witness having gone to Mr. M'Cann's committee-room, or tally-room, in Shop-street; he was there three times, twice on the first day and once on the day of polling, *Finlay* 3840-3848. 3886, 3887——Witness cannot be positive whether his first visit to Mr. M'Cann's committee-room was on Wednesday, the nomination day, or the day before, but it certainly was after he had promised to vote for Captain Moore, *ib.* 3844. 3858. 3879-3883. 4020-4047. 4099-4108. 4119-4134.

Statement as to Mr. Whearty having brought witness and Patrick Burn, another voter, from the tally-room to Lynagh's public-house, on the Tuesday or Wednesday, where he gave them some drink, and held out some promise if they would vote for Mr. M'Cann, *Finlay* 3893-3912——After Burn and witness had polled for Mr. M'Cann, Whearty again took them to Lynagh's, and paid for some more drink for them, *ib.* 3913-3927.

Further statement as to Long having asked witness for his vote, and given him an order for 5*s.* worth of drink; the order was upon his brother-in-law, Michael Durnin, *Finlay* 3983-3999——Durnin declined at first to give witness the drink, saying that the order was not in Long's handwriting, upon which witness sent for Long, who said he wrote the order, and directed Durnin to supply witness with the drink, *ib.* 4000-4010——Way in which witness got rid of the 5*s.* worth of drink; he did not use much of it himself on the same evening, and was not drunk, *ib.* 4048-4075.

Statement as to witness having had some communication with Mr. Thomas Conolly, junior, on the evening before the nomination, and having on the following morning given 10*s.* worth of drink to some men whom Patrick Long brought to his house, *Thornton* 4147-4165——Subsequently to the election witness gave out more drink on the orders of Long, *ib.* 4166-4170——Long himself was generally drunk at the time of the election, *ib.* 4171, 4172——Mr. M'Cann stated more than once that he would not allow one farthing to be given in drink, *ib.* 4183-4187.

Witness is wife of Michael Durnin, publican and grocer at Drogheda, *C. Durnin* 4210-4213——Particulars as to Edward Finlay having come to witness with an order for 5*s.* worth of drink, which witness declined to receive; and as to Patrick Long having subsequently told witness to give Finlay the drink, *ib.* 4214-4244——The foregoing matter took place some day after the election, and Long said he gave Finlay the drink merely to get rid of him, *ib.* 4217. 4243. 4304-4339——The drink supplied to Finlay, and drink supplied to other men to the amount of 3 *l.*, was all put down to Long's account, and has not yet been paid, *ib.* 4245-4260. 4295-4301——Supply by witness to different persons, as directed by Long on the nomination day, to the amount of 3 *l.*; witness cannot state who these men were, or how many there were, *ib.* 4257-4303. 4310-4313.

Witness is husband of the witness Catherine Durnin, *M. Durnin* 4340——Has not been tampered with by any one in regard to his evidence, *ib.* 4341, 4342. 4402-4405——Statement as to Patrick Long, witness's brother-in-law, having given witness an order for 30*s.* worth of drink on the Monday after the election; he came to witness's house with the parties to whom the drink was to be given, *ib.* 4343-4362. 4418-4460——Reference to an order for 3 *l.* worth of drink given by Long to witness's wife; belief that this was two or three days before the nomination, *ib.* 4363-4374——Particulars relative to an order for 5*s.* worth of drink given by Long to witness; this was part of the 30*s.* order given on the Monday after the election, and the reason assigned by Long for giving it was to prevent Finlay from teasing him, *ib.* 4375-4401. 4406-4420. 4431-4437.

Report, 1857—*continued.*

TREATING—continued.

2. *Mr. M'Cann*—continued.

Witness did all in his power to prevent expenditure in treating, *M'Cann* 6328–6333——Witness never authorised Long or Whearty to spend any money at all, *ib.* 6330–6332.

U.

Undue Influence. See *Assaults on Voters. Intimidation. Nomination. Retirement of Captain Moore. Roman-catholic Clergy. Violence and Excitement.*

V.

Verdon, Edward Michael. (Analysis of his Evidence.)—Sub-sheriff for the county of the town of Drogheda; is son of the high sheriff, 1781, 1782——Is an elector, and opposed to Mr. M'Cann, 1783–1785——Apathy among the people in regard to the election until the Monday preceding it, 1786, 1787——Reference to some speeches by the priests and others on the evening of Monday; great excitement in consequence, 1788–1800——The violence reached its climax on the nomination day, 1801.

Refusal of Mr. Clinton, Mr. M'Cann's solicitor, to adopt a proposition by witness's father for admitting an equal number of each party into the court-house for the nomination, 1802–1807——The mayor has the control of the key of the court-house, which was not opened till he arrived, 1808. 1814–1816——Very violent conduct of the people towards Captain Moore's friends whilst waiting to get into the court-house, 1809–1813——Tremendous confusion when the people rushed into the court-house; it was like hell let loose, 1817, 1818.

Assault committed on Mr. Jordan, 1819, 1820——Refusal of Mr. M'Cann's nephew to interfere to prevent Mr. Jordan being assailed and ill-treated, 1820–1826——Remark made by Mr. M'Cann on the day of nomination that his Catholic opponents deserved what they got, 1827, 1828——During the Wednesday witness was struck with stones, and saw several others so struck, 1829. 1861–1864——If Captain Moore had gone to the poll there would have been bloodshed, 1830, 1831——Considerable damage done by the mob to Mr. Jordan's house; large stones thrown through the windows, 1836–1843——Damage done to witness's house, 1844, 1845.

Excitable state of the town on the polling day, 1846–1850——Statement as to witness having compensated himself for the damage done to his house by stopping the priests' dues, 1851–1860——Further evidence relative to the speeches delivered by Mr. M'Cann's supporters, and the excitement created by them, 1865–1878——Part taken by Mr. Clinton in regard to admission to the court-house further adverted to; approval of his conduct in other ways, 1879–1890——Necessity for the military being called out; witness did not interfere in the matter, 1891–1898.

Verdon, Peter. (Analysis of his Evidence.)—Has been high sheriff of the county of the town of Drogheda since a short time before the late election; succeeded Mr. Brodigan, 563–565——Circumstance of Mr. Carty, the mayor, having refused an application by witness for the use of the court-house or tholsey for the police on the Saturday night before the election, 569–578——Witness did not see any excitement or violence in the town on the Monday or Tuesday, 579–583.

Arrangement made in order that each candidate should be equally represented at the nomination, 584–588——This arrangement was defeated through the court-house doors not being opened until Mr. Carty arrived, when the place was filled chiefly by the friends of Mr. M'Cann, who rushed in very impetuously, 589–612. 707–709——Witness never saw so much excitement at any former nomination, 613–615.

Violence of the mob during the nomination of Captain Moore and Mr. Brodigan, 617–635——After the nomination, witness and several others were pelted and struck in the streets by the mob, 636–646——Refusal of Mr. Carty to grant the use of the court-house for the police on the night of the nomination, when witness applied a second time for it, 647–654——The police, about sixty or seventy in number, were on the nomination night eventually lodged in the house of witness's son, both as a protection for the house and a shelter for themselves, 655–670——Attack made upon the house during the night, several of the windows having been broken; other houses were also injured, 656–664. 813–818.

Circumstance of witness having on the day of the nomination telegraphed to Dublin for the continuance of the military in the town, as disturbances were apprehended, 671–675——Exception taken to the conduct of the mayor in declining to grant the use of the court-house for the police, and in keeping it locked until he arrived on the nomination day, 676–679. 696–702. 798–807——The town was more quiet on Thursday, 680–683. 751–758. 825——Witness saw some priests canvassing for Mr. M'Cann, 684–686——Witness is a Roman Catholic, 687.

On the polling day witness was in the assessor's booth, and did not observe any obstruction

Report, 1857—*continued.*

Verdon, Peter—continued.

obstruction to the voters, 688-695——Further statement relative to the violent demeanour of the crowd at the nomination of Captain Moore and Mr. Brodigan, 703 *et seq.*——An ink-bottle was thrown at Mr. Brodigan, 716-721——Mr. Jordan, who is not a popular man, was much insulted and pulled about when seconding Captain Moore, 722-741. 746-750——Conservative candidates have sometimes been returned for Drogheda, 760-765.

Statement as to witness having been called upon to adjourn the nomination; he declined to do so, but only through fear of increased disturbance, 766-780. 808-812——Witness is not a supporter of Mr. M'Cann, 794-797——When witness heard on the nomination evening of Captain Moore's resignation, he at once made it known, in order to check excitement, 816-824.

[Second Examination.]—Explanation of the course taken by witness in order to secure an impartial hearing in the court-house; admission by ticket as proposed, was not assented to by Mr. M'Cann's agent, 1899-1904. 1925. 1926——Inability of witness to do anything towards securing order in the court-house, or to adjourn the nomination as requested by Captain Moore's friends; had he the power to compel an adjournment, he certainly would have done so, 1904-1908. 1915-1924.

Steps which witness would have taken to protect Captain Moore's voters had he gone to the poll, 1909, 1910——Grounds upon which witness considered it necessary on the Wednesday to telegraph to Dublin about the troops, 1911, 1912——Witness took no part whatever in regard to Captain Moore's retirement, but considers his retirement was founded on good reasons, 1913, 1914.

Violence and Excitement:

1. *On the Monday and previous Days before the Election.*
2. *On the Nomination Day and the Day preceding.*
3. *On the Day after the Nomination and the Polling Day.*
4. *Extent of the Excitement generally.*

1. *On the Monday and previous Days before the Election:*

Assemblage of large crowds on Monday evening the 30th March at the White Horse Hotel, where Mr. M'Cann's committee sat, and from the balcony of which speeches were being made, *Mayne* 31-41——Witness did not see any excitement or violence in the town on the Monday or Tuesday, *P. Verdon* 579-583——The town was perfectly quiet previously to the Monday before the election, *Cory* 1052-1055——There was some excitement on Monday evening, *ib.* 1055. 1178, 1179.

Quiet state of the town on the Saturday and Monday before the election, *Clarke* 1262-1264——There was no actual violence on the Monday night, *Cope* 1395——The first disturbance in the town was on the evening of Monday, *Harris* 1619, 1620. 1625-1627——Apathy among the people in regard to the election until the Monday preceding it, *E. M. Verdon* 1786, 1787——On Monday 30th March, and Tuesday 31st, large crowds assembled before the hotel where Mr. M'Cann's committee sat, and were addressed by the priests and others, *Harvey* 1932-1951——Quiet state of the town on the Monday preceding the election, *Hammond* 2341-2347.

On the Monday and Tuesday before the election witness did not observe any particular excitement in the town, *Pentland* 4459-4465——On the Monday and Tuesday the town seemed very quiet, *Ternan* 4998-5000.

2. *On the Nomination Day and the Day preceding:*

Exceedingly excited and disturbed state of the town on the afternoon and evening of Tuesday, the day before the nomination, *Mayne* 42 *et seq.*; *R. Smith* 842-845. 859-875. *Cory* 1056 *et seq.*; *Clarke* 1265 *et seq.*——The mob was addressed several times from Mr. M'Cann's committee-rooms, *Mayne* 43, 44. 339-342——Extremely disturbed and excited state of the town after the nomination on Wednesday, *Mayne* 112-114; *Clarke* 1336-1339; *St. George Smith* 2687-2689. 2949-2954——The excitement was frightful after the nomination, *Mayne* 112-114.

Excited state of the town on Tuesday; necessity of the presence of the military and the police, *Sir Wm. Gordon* 353. 364——Excited state of the town on the Wednesday as well as the Tuesday; great crowds about, *ib.* 374-378——Captain Moore did not leave Drogheda when he resigned through fear of going away unprotected, *ib.* 416-420 —— Riotous state of the town during the three days preceding the polling, *M'Dougall* 490-493——Precautions taken by witness to protect his house and family from the violence of the mob; no injury was actually committed, *ib.* 490-515. 530-532. 557-559.

On the Tuesday evening the violence was so great that witness dared not for his life leave his house; the mob threatened witness with violence, but he shut up his house, and no injury was committed, *Harris* 1625-1636—— Extreme excitement in the town on Wednesday, the nomination day, *Bagnall* 1743, 1744——The violence reached its climax on the nomination day, *E. M. Verdon* 1801——Reference to some remarks on the Tuesday by a relative of Mr. M'Cann, reflecting on Captain Moore, *Harvey* 2092. 2143-2146.

VIOLENCE AND EXCITEMENT—continued.

2. *On the Nomination Day and the Day preceding*—continued.

Extremely excited state of the town on Tuesday, *Hammond* 2349–2359——Threatening demeanour of the people towards witness on arriving in the town on the nomination day, *ib.* 2362–2365——Witness went to the house of the sub-sheriff, and remained there nearly all day in a state of durance, *ib.* 2365–2375——Difficulty before Mr. Brodigan could get from the hotel to the sub-sheriff's house on the nomination day, *ib.* 2370–2376——The town was in a tumult throughout the whole of Wednesday, *ib.* 2377, 2378.

Commencement of excitement in the town on Tuesday; interruption thereby to Captain Moore's canvass, *St. George Smith* 2643–2651——The town began to be very disturbed after the Monday before the election, *Brodigan* 3010–3012——Disturbed state of the town on the evening of the nomination, which made it necessary for witness to procure a strong escort before he could leave his hotel, *ib.* 3027–3042——Great difficulty experienced by witness in canvassing before the day of nomination; he was not, however personally injured, *ib.* 3201–3216.

Violent demeanour of the mob towards witness and his supporters on Tuesday, the day before the nomination, *Captain A. G. Moore* 3476, 3477——Threatening attitude and demeanour of the people in the streets after the nomination, *ib.* 3498–3501.

Witness was not at the nomination, and was absent from the town a good deal on that day and the following day; moreover he did not attend much to the business of the election, *Pentland* 4466–4470. 4509, 4510. 4515. 4565–4569. 4598–4605——When witness was in town on the nomination day, he had no difficulty in getting about, and business generally went on as usual, *ib.* 4471–4477. 4484–4487——On the Tuesday the town did not seem at all disturbed, *ib.* 4480–4486——On the afternoon and evening of Tuesday witness continued at home, and had not an opportunity of seeing what was going on out of doors, *ib.* 4544–4564——As regards witness going about the town on the nomination day, he was doubtless known as a supporter of Mr. M'Cann, and was not unpopular, *ib.* 4570–4573.

After the nomination there was some natural excitement and bustle in the streets, but witness did not see any one injured, *Chadwick* 4642–4644——None of the workpeople at the flax mills in which witness is a partner were allowed to leave their employment on the nomination day, *ib.* 4718–4726——There was a crowd about on the Tuesday, but witness saw no violence or insult, *Campbell* 4800–4805——On Wednesday business went on as usual, and witness saw no violence except some damage done to Mr. Jordan's house, *Ternan* 5001–5004. 5012——There were great crowds about on the nomination day, but witness saw no violence that would justify Captain Moore's retirement, *Carty* 5221–5234.

There was a good deal of excitement on Tuesday, but not more than is usual at Irish contested elections, *Derinzy* 5384–5390——The town was very excited after the nomination, *ib.* 5428–5432——Abusive language applied on Wednesday towards Captain Moore's supporters, *ib.* 5812–5816. 5819, 5820——Circumstance of Mr. St. George Smith having in witness's presence, at the high sheriff's, represented the town as being in an alarming state, *ib.* 5882–5886.

Witness did not see any violence on the day of the nomination; but some windows were broken, *Hanratty* 6203–6208——There was no real ground for apprehension as to the peace of the town, and there was no necessity for calling out the troops, *ib.* 6209–6217——Witness did not observe any actual violence displayed during the election; but saw that some windows had been broken by the mob, *Montague* 6289–6298——At the nomination there was some excitement, in consequence of the unpopularity of Mr. Jordan; but during the day witness did not see any person attacked, *ib.* 6291–6297.

Resolution of the Committee, that on the day of nomination, and the preceding day, riotous and tumultuous proceedings took place in the court-house and streets of Drogheda, *Rep. p.* iii.

3. *On the Day after the Nomination and the Polling Day*:

Continuance of the excitement on Thursday the 2d April, the day between the nomination and the polling, *Mayne* 115–118. 122. 136, 137——The town was in a very excited state until it was declared that Mr. M'Cann had been successful, *Sir W. Gordon* 392–397——How far the voters were obstructed in going to the poll, *ib.* 430–436. 461–465——On the Thursday the town was in a very disturbed state, *ib.* 437–440——Witness voted for Mr. Brodigan; he was not obstructed in doing so, and did not see others obstructed in similarly voting, *M'Dougall* 524–527. 542–554.

The town was more quiet on Thursday, *P. Verdon* 680–683. 751–758. 825——On the polling day witness was in the assessor's booth, and did not observe any obstruction to the voters, *ib.* 688–695——There was no difficulty in the way of the polling of the voters, *Cory* 1209–1211; *Pentland* 4488–4493; *Chadwick* 4709–4717; *Derinzy* 5506–5509——Considerable excitement and violence on the polling day, *Bagnall* 1772–1777. 1779; *E. M. Verdon* 1846–1850.

Witness was prevented from going from Dublin to vote for Mr. Brodigan by a telegraphic message

VIOLENCE AND EXCITEMENT—continued.

3. *On the Day after the Nomination and the Polling Day*—continued.

message from the sub-sheriff, *Hammond* 2380-2382. 2397-2400——On the polling day and the day preceding, that is, after Captain Moore's retirement, the town suddenly became very quiet, *Atkinson* 2527-2529. 2532, 2533——The people were still very excitable on the polling day, but there was no difficulty in voting, *Morton* 2577-2580. 2595, 2596——The town was quiet the day before the election, *ib.* 2590-2594.

The town was comparatively quiet on the Thursday and Friday, *St. George Smith* 2710. 2912-2914. 2919-2922——The town continued very excited until the election was over, *Brodigan* 3043-3047——The town was quiet on the polling day, and there was no difficulty in voting, *Chadwick* 4709-4717——Circumstance of witness having provided an escort for Mr. Mayne on the day after the nomination, *Derinzy* 5873-5876. 5899.

4. *Extent of the Excitement generally:*

Evidence relative to the violent conduct of the mob on different days, and to the rough treatment experienced by witness and others, *Mayne* 42 *et seq.* 210-263. 330-336——The last election was more violent than the election of 1847, *Jordan* 1571-1576. 1592-1594; *Rowland* 3667-3670. 3731-3735. 3784, 3785——Reference to some notes made by witness of the violence in the town, *Harris* 1620-1624——Witness, who is a vintner or publican, as well as a grocer, kept his house open during the election, but it was not frequented as usual, *ib.* 1651-1670——Evidence relative to the speeches delivered by M'Cann's supporters, and the excitement created by them, *E. M. Verdon* 1865-1878.

Statement as to witness's shop having been open on Wednesday and other days; the shutters were occasionally put up through fear of an attack, *Harvey* 2032-2055; 2088, 2089. 2147-2150——Witness spent his time very much in Captain Moore's committee-room, where he heard from others of the violence of the mob out of doors and at the nomination, *Atkinson* 2434-2438. 2447-2449——At former elections the riot was as much on one side as on the other, but at the late election it was all on one side, *St. George Smith* 2980, 2981.

Somewhat excited state of the town at the election, *Kelly* 3575-3587. 3604-3619——Less violence at the late election than in 1847, *Pentland* 4508-4515; *Chadwick* 4618-4620. 4687-4708; *Ternan* 4991-4994; *Carty* 5191-5195. 6240, 6241——Respectability and influence of several of those who have testified to the dangerous excitement in the town, *Pentland* 4516-4523——There were a good many weavers on strike at the time of the election, *Chadwick* 4761, 4762; *Derinzy* 5517, 5518.

See also *Assaults on Voters.* *Committee Rooms (Captain Moore).* *Damage to Houses.* *Election of* 1847. *Informations.* *Intimidation.* *Military, The.* *Nomination.* *Religious Excitement.* *Retirement of Captain Moore.* *Roman-Catholic Clergy.*

W.

Weavers. There were a great many weavers on strike about the time of the election, *Chadwick* 4761, 4762; *Derinzy* 5517, 5518.

Whearty, Richard. Occasion of Mr. Whearty, one of Mr. M'Cann's committee, having asked witness for his vote, *Finlay* 3831-3839—— Presence of Mr. Whearty in the committee-room on each occasion when witness was there; witness also saw him in company with Mr. M'Cann's sons, but did not with Mr. M'Cann himself, *ib.* 3849-3878——Richard Whearty canvassed with Mr. M'Cann, *Carty* 5321-5326.

See also *Treating*, 2.

White Horse Hotel. Witness does not know by whom the White Horse Inn was retained for Mr. M'Cann; he has heard that a special sum was paid for the use of the balcony, *Chadwick* 4672-4679.——*See* also *Roman-Catholic Clergy.*

Withdrawal of Captain Moore. See *Retirement of Captain Moore.*

Writ and Return. Witness produces the writ and return for the last election for Drogheda; the return is dated 4th April 1857, *Naylor* 2-4.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

DUBLIN CITY ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
20 *August* 1857.

293—Sess. 2.

Mercurii, 29° *die Julii*, 1857.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the City of Dublin:

Acton Smee Ayrton, Esq.	The Earl of Gifford.
The Hon. Ralph Heneage Dutton.	The Hon. Francis Scott.

Chairman, THOMAS EMERSON HEADLAM, Esq.

Jovis, 30° *die Julii*, 1857.

Ordered, THAT the said Petition be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the clock.

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REPORT.

DUBLIN CITY ELECTION COMMITTEE.

Veneris, 7° die Augusti, 1857.

The House informed, That the Committee had determined,—

That Edward Grogan, Esquire, is duly elected a Citizen to serve in this present Parliament for the City of Dublin:

That John Vance, Esquire, is duly elected a Citizen to serve in this present Parliament for the City of Dublin.

The House further informed, That the Committee had agreed to the following Resolutions:—

That a certain portion of the Freemen voted at the last Election under the expectation that they would be paid for their votes, but it does not appear that any distinct promise to that effect was made.

That after the Election hopes were held out to certain of the Freemen that they would be paid after the period for presenting Petitions to this House had expired, but it does not appear that this was done in a precise or definite manner, nor was it done with the cognizance of the Sitting Members, nor by any duly authorised Agent on their behalf.

That a sum of 16 *l.* 16 *s.* was applied by the treasurer of the Freeman's Protestant Fellowship Society in treating and in direct payment to Voters, and that he applied to the Agent of the Sitting Members to reimburse the funds of the Society for this payment; that this transaction, however, was without the knowledge or authority of the Sitting Members, and when the application for the repayment was made to their Agent, it was declined.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 31° *die Julii*, 1857.

NAMES called over; Members all present.

Committee deliberated.

The Committee agreed to the following Resolutions:—

1. "That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. "That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. "That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member, or his Agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

4. "The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not reasonably have been supposed to have been previously cognisant.

5. "That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. "That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. "The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. "That no person shall be examined as a Witness who shall have been in the room during any of the proceedings, with the exception of the Agents, whose names shall be handed in, without the special leave of the Committee.

9. "That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. "That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. "That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent."

Parties called in and informed of the above Resolutions.

The short-hand writer was sworn by the Chairman.

Petition of *Robert Hobart* and *Daniel Lyons*, two electors of the County of the City of Dublin, complaining of the undue election and return of *Edward Grogan* and *John Vance*, for the said city, read.

Counsel for Petitioners, Mr. *James*, Q.C., Mr. *MacDonogh*, Q.C., Mr. *Phinn*, Q.C., Mr. *Coffey*.

Agents, Mr. *Coppock*, Mr. *Kernan*.

Counsel for the Sitting Members, Mr. *O'Malley*, Q.C., Mr. *Slade*, Q.C., Mr. *Rodwell*.

Agents, Messrs. *Thompson*, *Debenham* and *Brown*, Mr. *Gibson* and Mr. *Cusack*.

Mr. *James* was heard to open the case on the part of the Petitioners.

J. R. Naylor,

J. R. Naylor, from the office of the Clerk of the Crown, sworn; examined by Mr. *MacDonogh*. Produced writ and return of the last Election.

Edward Clements, Agent for the Clerk of the Hanaper, sworn; examined by Mr. *MacDonogh*; handed in the poll-books of last Election; cross-examined by Mr. *Slade*.

Michael Byrne, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *Slade*; re-examined by Mr. *MacDonogh*.

George Mowlds, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *Slade*.

William Walker, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *Slade*.

William Moy, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *O'Malley*.

Thomas Tighe, sworn; examined by Mr. *MacDonogh*.

Joseph Hassett, sworn; examined by Mr. *Coffey*.

On the question being asked, "Do you recollect anything Lilly said when he was presiding over these meetings after the Election?"

Mr. *O'Malley* objected to the question, on the ground that a statement made by Lilly, after the Election, was not admissible.

Mr. *MacDonogh* was heard in answer.

The *Committee* decided, "That the question might be put."

Joseph Hassett, further examined by Mr. *Coffey*; cross-examined by Mr. *O'Malley*.

On the question being asked, "Did he not tell you, you might tell them they would be well paid?"

Mr. *MacDonogh* objected to the question.

Mr. *O'Malley* was heard in answer.

The *Committee* decided that the question might be put.

Joseph Hassett, further cross-examined by Mr. *O'Malley*; re-examined by Mr. *Coffey*.

Robert M'Guinness, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *O'Malley*.

[Adjourned till To-morrow, at Eleven o'clock.

Sabbati, 1° die Augusti, 1857.

NAMES called over; Members all present.

John Hamilton, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *O'Malley*; re-examined by Mr. *MacDonogh*.

Benjamin Rogers, sworn; examined by Mr. *Phinn*.

On the question being asked, "What passed between you and Lilly?"

Mr. *O'Malley* objected to the question.

Mr. *MacDonogh* was heard in answer to the objection, and contended that the act of Lilly after the Election was admissible.

Mr. *O'Malley* was heard in reply, "That an act after the Election, unless connected with what took place before the Election, was not admissible."

Mr. *MacDonogh* was further heard in answer.

The *Committee* decided that the question might be put.

Benjamin Rogers, further examined by Mr. *Phinn*.

Alexander David Brown, sworn; examined by Mr. *Coffey*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Coffey*.

Peter Nettleton, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *Rodwell*.

Francis Harrison, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *O'Malley*; re-examined by Mr. *Phinn*.

[Adjourned till Monday, at half-past Eleven o'clock.

Lunæ, 3° die Augusti, 1857.

NAMES called over; Members all present.

James Farrell, sworn; examined by Mr. *James*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *MacDonogh*.

James Burke, sworn; examined by Mr. *MacDonogh*.

James Farrell, further examined by the *Committee*.

James Burke, further examined by Mr. *MacDonogh*; cross-examined by Mr. *Rodwell*.

Henry Edward Browne, sworn; examined by Mr. *Coffey*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *MacDonogh*.

Joshua Porter Conway, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *Rodwell*

John Wyne, sworn; examined by Mr. *Coffey*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Coffey*

John Reed, sworn; examined by Mr. *MacDonogh*.

Mr. *MacDonogh* applied to the Committee for a summons for *George Strong*, a Witness who had been served with a Speaker's Warrant.

Michael Loughrey, sworn.

Richard Thompson, sworn.

Examined by Mr. *MacDonogh* as to the service of the Speaker's Warrant on the said *George Strong*.

Committee deliberated.

Ordered, "That the Chairman do issue his summons for the attendance of *George Strong*."

Richard Tudor, sworn; examined by Mr. *MacDonogh*.

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 4° die Augusti, 1857.

NAMES called over; Members all present.

William Brown, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *Slade*; re-examined by Mr. *MacDonogh*.

Thomas Benson, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *MacDonogh*.

Richard Tudor, further examined by Mr. *James*; cross-examined by Mr. *Slade*.

Thomas Benson, further examined by Mr. *MacDonogh*.

On the question being asked "Do you see (referring to an account) on the night of the 24th, that any sum was expended by Lilly?"

Mr. *Slade* objected to the question, and contended that the agency of Lilly for general purposes was not proved.

Mr. *MacDonogh* was heard in answer.

Mr. *Slade* was heard in reply.

Room cleared. Committee deliberated.

Resolved, "That there is sufficient *primâ facie* evidence of agency to let in evidence of acts of treating by John Lilly."

Parties called in and informed thereof.

[Adjourned till To-morrow, at Eleven o'clock.

Mercurii, 5° die Augusti, 1857.

NAMES called over; Members all present.

Thomas Benson, sworn; further examined by Mr. *MacDonogh.*

In the course of the examination Mr. *O'Malley* objected to Mr. *MacDonogh* going into evidence to prove treating at a time not mentioned in the list of treating handed in, in accordance with the resolution of the Committee.

Mr. *MacDonogh* was heard in answer, and contended that in the list handed in, the time stated was only wrong by a few days; that he could not reasonably have been supposed to have been previously cognisant of the fact, as the books of the Society were not accessible to the Petitioners, and therefore that he should be allowed to go into this case of treating.

Mr. *O'Malley* was heard in reply, and contended that the resolution of the Committee was laid down for the protection of the Sitting Member; that there were no grounds for relaxing that resolution, and that the Petitioners never applied to the Society to inspect their books.

Mr. *MacDonogh* was further heard in answer.

Room cleared.

Committee deliberated.

Resolved, "That the Committee will not receive further evidence of treating before the 27th, but as the evidence already given on that subject had not been previously objected to, they will not allow it to be struck out."

Parties called in and informed thereof.

Thomas Benson, further examined by Mr. *MacDonogh*; cross-examined by Mr. *O'Malley*; re-examined by Mr. *MacDonogh.*

Richard Tudor, further examined by the *Committee.*

James Burke, sworn; examined by Mr. *MacDonogh.*

Thomas Naghten, sworn; examined by Mr. *MacDonogh.*

Robert Bramston Smith, sworn; examined by Mr. *MacDonogh*; cross-examined by Mr. *O'Malley*; re-examined by Mr. *MacDonogh.*

James Burke, further examined by Mr. *MacDonogh.*

Mr. *MacDonogh* stated that he had not closed his case on behalf of the Petitioners.

[Adjourned till To-morrow, at Eleven o'clock.

Jovis, 6° die Augusti, 1857.

NAMES called over; Members all present.

Mr *O'Malley* stated that he would now proceed to call his Witnesses on behalf of the Sitting Member.

William Samuel Frewen, sworn; examined by Mr. *O'Malley*; cross-examined by Mr. *MacDonogh.*

William Jervoise Whithorne, sworn; examined by Mr. *O'Malley*; cross-examined by Mr. *Coffey.*

William Gibson, sworn; examined by Mr. *O'Malley*; cross-examined by Mr. *MacDonogh*; re-examined by Mr. *O'Malley.*

Ralph Smith Cusack, sworn; examined by Mr. *O'Malley*; cross-examined by Mr. *MacDonogh*; re-examined by Mr. *O'Malley.*

Edward Grogan, one of the Sitting Members, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *MacDonogh.*

John Vance, one of the Sitting Members, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *MacDonogh*; re-examined by Mr. *Rodwell*.

Ralph Smith Cusack, further examined by the *Committee*.

Mr. *O'Malley* stated that he had now closed the case on behalf of the Sitting Members.

[Adjourned till To-morrow, at Eleven o'clock.

Veneris, 7° die Augusti, 1857.

Names called over; Members all present.

Mr. *O'Malley* was heard to sum up the case on behalf of the Sitting Members.

Mr. *MacDonogh* was heard in reply on behalf of the Petitioners.

Room cleared. Committee deliberated.

"*Resolved*, That Edward Grogan, Esquire, is duly elected a citizen to serve in this present Parliament for the City of Dublin.

"*Resolved*, That John Vance, Esquire, is duly elected a citizen to serve in this present Parliament for the City of Dublin.

"*Resolved*, That a certain portion of the Freemen voted at the last Election under the expectation that they would be paid for their votes, but it does not appear that any distinct promise to that effect was made.

"That after the Election hopes were held out to certain of the Freemen that they would be paid after the period for presenting Petitions to this House had expired, but it does not appear that this was done in a precise or definite manner, nor was it done with the cognizance of the Sitting Members, nor by any duly authorised Agent on their behalf.

"That a sum of 16 *l*. 16 *s*. was applied by the Treasurer of the Freeman's Protestant Fellowship Society in treating and in direct payment to voters, and that he applied to the Agent of the Sitting Members to reimburse the funds of the Society for this payment. That this transaction, however, was without the knowledge or authority of the Sitting Members, and when the application for the repayment was made to their agent, it was declined."

Parties called in and informed of the above Resolutions.

Mr. *MacDonogh* applied to the Committee to report to the House the manner in which the Freeman's Protestant Fellowship Society had acted with regard to the last Election.

The Committee refused the application.

Mr. *O'Malley* applied to the Committee to report the Petition as frivolous and vexatious.

The Committee refused the application.

Ordered, To report the Resolutions of the Committee of this day to the House.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

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MINUTES OF EVIDENCE.

Veneris, 31° *die Julii*, 1857.

THOMAS EMERSON HEADLAM, Esq., in the Chair.

Petition of two electors of the county of the city of Dublin read against the return of the Sitting Members. 31 July 1857.

Mr. *Edwin James*, Mr. *M'Donogh*, Mr. *Phinn*, and Mr. *Coffey* appeared as Counsel for the Petitioners.

Messrs. *Coppock & Co.* appeared as Agents.

Mr. *Slade*, Mr. *O'Malley*, and Mr. *Rodwell* appeared as Counsel for the Sitting Members.

Mr. *Edwin James* was heard to open the case on behalf of the Petitioners.

The *Chairman* informed the learned counsel that the Committee had agreed to adhere to the usual Resolutions adopted by Committees upon Election Petitions.

Mr. *James Richard Naylor*, sworn; Examined by Mr. *M'Donogh*.

Mr. *J. R. Naylor.*

1. DO you produce the writ and return for the city of Dublin?—I do.
2. Have you the poll books?—No, I have not the poll books; I have the writ and return.
3. What is the date of the writ and return?—The writ is dated the 23d March; the return the 31st of March.

Mr. *Edward Clements*, sworn; Examined by Mr. *M'Donogh*.

Mr. *E. Clements.*

4. HAVE you the poll books for the Dublin election for 1857?—Yes; they are here (*produces the same*).

Cross-examined by Mr. *Slade*.

5. Are you the Clerk of the Hanaper?—I am the Agent for the Clerk of the Hanaper; and I am acting for him under the 13 & 14 Victoria, c. 69, s. 102. He delivered them into my hands, and desired me to produce them before the Committee.
6. And you do so accordingly?—I do.
7. Who is the Clerk of the Hanaper?—Mr. John O'Connell.
8. Has he a regular deputy?—No.
9. Is not Mr. O'Brien his deputy?—I was appointed by the Lord Chancellor in Dublin the day before yesterday the deputy for Mr. John O'Connell; he was coming over himself, but circumstances occurred which prevented him, and I was sent over as his agent.

Mr. *E. Clements.*

31 July 1857.

10. Who by?—By Mr. John O'Connell, the Clerk of the Crown and Hanaper for Ireland, and he pointed out to me the section of the Act which enabled him, or empowered him to do so.

11. And you are his agent for that purpose?—Certainly I am.

Michael Byrne, sworn; Examined by Mr. *M'Donogh.*

Michael Byrne.

12. ARE you a freeman of the city of Dublin?—Yes.

13. Where do you reside?—No. 5, Brown-street, Dublin.

14. Do you remember the last election for that city?—Yes.

15. Do you know a Mr. Gervase Whithorne, an attorney?—Yes, I do.

16. Do you know his brother?—I am not acquainted with his brother; I know him.

17. Do you know where the committee-rooms of Messrs. Vance and Grogan were held in Dublin?—Yes; the rooms that were pointed out to me as the committee-rooms, and which were placarded with bills, and the walls outside, were in Dame-street.

18. Have you been in those committee-rooms?—Yes, I went in.

19. Where did you meet Mr. Gervase Whithorne?—In Dame-street, standing opposite the head police office.

20. What day was this you met him?—On Friday, the 27th of March.

21. When was the election?—On the Monday following.

22. That was the polling-day; the nomination was on the Saturday?—Yes.

23. Had you any conversation with him touching the election?—I had.

24. And in relation to your vote?—He asked me, Had I a vote; I told him I had. He asked me, Would I vote for the Conservative party.

25. What did you say to that?—I told him I would not. Then he said, "Don't you want some money?" I said, money was a very good thing, and there were few of us who would not be glad to get some. He said, "You will be sure of getting some money if you come with me; for I am sure they will not give you anything on the other side, at least, if they do, not so much as I can give you; I will make it sure to you, 5 *l.*; but, at all events, come with me."

26. Did he say where?—To the committee-room, and I will introduce you.

27. Did you accompany him to the committee-room?—I did.

28. Is that the same committee-rooms, in Dame-street, you spoke of?—The same. He introduced me to some gentlemen there, and, after a conversation that I did not hear, the book was opened with the freeman's list, and my name was found.

29. Did you see Mr. Keating there?—I did.

30. When your name was found in the book, what took place?—Mr. Keating examined the book, and he filled up a card, and handed it to me, and told me to meet Mr. Whithorne on the hustings on the day of the election.

31. Did anything else occur?—Not at that time; we both came out, and I agreed to meet him on the hustings on the Monday.

32. Did you attend at the hustings and record your vote?—I did; I met Mr. Whithorne, who brought me to a tally-room of Messrs. Grogan and Vance, and Mr. Keating was there, and he brought me over.

33. Where was this tally-room situated?—Right opposite to Green-street, where the polling was going on.

34. *Chairman.*] Both Mr. Whithorne and Mr. Keating took you there?—Mr. Keating brought me from the tally-room over to the voting-place, and when I had voted I came back again to where Mr. Whithorne remained.

35. Mr. *M'Donogh.*] Do you know Ross-lane?—I do; I know the freemen met there, but I did not belong to them.

36. For whom did you vote?—For Vance and Grogan.

37. On the occasion of your voting did you see Mr. Keating?—He was present at my voting, waiting till I had done.

38. He saw you vote?—Yes.

39. After seeing you vote, did Mr. Keating say or do anything?—He did.

40. What?—"Come along with me, and I will give you a card;" for the card I had was retained when I had voted.

41. Where was Mr. Whithorne at the time you voted?—He remained in the tally-room.

42. Did

42. Did you accompany Mr. Keating?—I did, back to the tally-room, opposite the polling-place; Mr. Whithorne was there, and Mr. Keating filled a card up, and gave it to me, and told me I might want that.

43. Did he say anything else?—No, not on that occasion.

44. Have you that card?—The solicitor has it.

45. What next happened?—Mr. Whithorne and I came out then, and Mr. Whithorne told me he would see me the next day.

46. Did he appoint any place of meeting?—He was to meet me at the committee-room, at 12.

47. The same committee-room?—Yes. I did not like to go there, consequently I did not see him; I saw him the next day but one.

48. You did not keep that appointment the next day?—I am not certain whether it was the next day, or the next but one; at all events, I met him on Essex-bridge, and the committee had moved from there to Church-lane. He said, "I am very glad I met you;" I said, "I am glad too." He said, "You are to meet me at 12 o'clock on Saturday;" he said, "You will get what you will be paid."

49. *Committee.*] What did he say?—Something that way; "You will get what I promised," or "You will be paid;" that was the substance.

50. Mr. *M'Donogh.*] Did you meet him on the Saturday?—I did.

51. Where did you meet him?—I met him in Dame-street, on the Saturday after the election; he made some excuses, and asked me where was my card; I told him I had it, and he told me to meet him at Church-lane; and I went to Church-lane, and he was in a great hurry to go to some place.

52. Did he name any place in Church-lane?—I am not certain whether it was No. 2 or 3; I found it, at all events.

53. *Chairman.*] You went to this place to meet him there?—I was there, and waited for him, and he did not come to me.

54. Mr. *M'Donogh.*] Did you meet any one at Church-lane?—I did; I knocked at a room door, and there were six or seven gentlemen sitting round a table, writing and making up business. I called for Mr. Keating, the only one I knew, and he came out in the lobby to me; I asked him, Was Mr. Whithorne there; he said, "No." I asked him what was I to do about my voting.

55. Is this which I now hand to you the card you received from Mr. Keating after you had voted?—It is; I told Mr. Keating, Mr. Whithorne was to meet me there, according to promise, about my voting. He said, "I know you did vote; Mr. Whithorne or Mr. Gibson will be here at three o'clock;" and then I went away.

56. Did you return to that same place?—I did.

57. When?—The same evening.

58. Who did you see the second time?—After going out, I met Mr. Whithorne in the Lord Mayor's Court, and I asked him the reason he did not come to meet me; he said he had some business at the Lord Mayor's Court, and he told me he would come with me to the committee-room; he asked me had I got a card; I told him I had. He told me then that he would make it all right, and I was to call on him that evening. I asked him where; he said in Dame-street. I told him there was no committee there then; I said, they were at the place in Church-lane; I said, "I will meet you there;" "Do," said he, "and bring the card with you."

59. Did you meet him there?—I met him by the round church, and I went to the place; he told me that he was at the committee in my absence, and I was to go to a house in Chamber-street that night, and I would get something.

60. Who was the keeper of that house?—Mr. Jones.

61. What house was it?—A public-house.

62. Did you go to Chamber-street?—I did.

63. About what time?—About eight o'clock.

64. Had you this card with you?—I had.

65. Did you see any persons that you knew in Chamber-street?—I saw two or three or more persons in the house, very busy drinking; I was not long in the house till one asked me, Was I not Mr. Byrne? I said, "Yes."

66. *Committee.*] Who asked you this?—I did not know the man; he was a strange man. I was sitting with a friend of mine taking a dandy of punch, when a man came and asked me, "Are you not Mr. Byrne?" I said, "Yes."

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67. Mr. *M'Donogh.*] What did the man say to that?—He told me he wanted me; I stood up and left my friend, and went to another room with him, off the bar; opposite the bar; there were two men besides himself in the room, and there was one man behind the two men; he then gave me a bit of paper, rolled up, and there were three one-pound notes rolled up; I said, "What is this? This will not do for me." He said, "We know no more about it."

68. You said that will not do?—I said, that is not what I was promised; the man said, "I know no more about it," and shut the door.

69. Before he shut the door, had you shown this card to any one?—They did not ask me for the card; I went back to the committee-room next day, and I saw Mr. Keating there.

70. *Chairman.*] Which committee-room?—In Church-lane; I saw Mr. Keating, and he asked me, Did I get any thing, or had I a card; and I told him I did not.

71. Mr. M'*Donogh.*] Did you take the 3*l.* that was given to you?—I did.

72. After the man said he knew nothing more, and closed the door, did anything else occur that night?—Nothing more occurred that night.

73. You met Mr. Keating, where?—At the committee-room in Church-lane; I inquired for Mr. Whithorne; I felt very indignant to get only 3*l.* instead of 5*l.*, or more, and Mr. Whithorne was not to be seen then. Mr. Keating said, "Did you get anything?" I said, "I did not;" I wanted to be paid. I asked for Mr. Whithorne; he said he was not there.

74. What further occurred?—Mr. Keating asked me, Had I a card; that was the only time I was asked for it; I told him I had left it at home.

75. What was your reply when he asked if you had got anything?—I told him I had not, for I was vexed at the time; I wanted to see Mr. Whithorne on account of his promising to meet me there.

76. You did not state to Mr. Keating, I understand, that you had got the 3*l.*?—I did not.

77. Did anything else occur between you and Mr. Keating on that occasion?—No.

78. Did you ever meet Mr. Whithorne again?—I did; and he told me he would make it all right.

79. *Chairman.*] Who said that?—Mr. Whithorne did.

80. When did he say that?—I met him afterwards, and told him the way that I was humbugged, as I called it, and he told me that he would come with me again, and would make it all right; I never could get him to come; he asked for my card, and when I showed him this, he said, "Oh, man, you must get another card; you will get nothing for that card; you must get another."

81. Have you applied to Mr. Whithorne more than once since then?—Yes; I have, different times, and he has put me off in this kind of way; he has said he cannot get the money, and then he has said there were some that did not get more; some that did not get as much; I said that was nothing to me.

82. Do you know where Mr. Keating lives of whom you have been telling us?—No, I do not.

83. Do you know what he is?—I know he is a clerk at the committee-rooms for the Conservative party.

84. Upon what side has Mr. Keating been acting?—He was always acting on the Conservative side.

85. In what respect; in the Registration Courts?—Yes.

86. You have seen him there before this period?—Yes.

87. On many occasions?—Yes; I had to attend at the last revision to get my name altered, for I had changed my house, and I saw Mr. Keating there.

88. You saw him acting on that occasion?—Yes.

89. This same man who had so dealt with you as you have told us?—Yes.

Cross-examined by Mr. *Slade.*

90. Who and what are you?—I was a tallow-chandler, but I am now a law and mercantile clerk.

91. How long have you left the greasy occupation, and taken up with the pen and ink?—Some 12 or 14 years.

92. Are you what is called a "Process Server"?—Never.

93. Are

93. Are you a touter outside the police court?—I never was.

94. That you swear?—That never was my occupation.

95. In whose employ are you now?—I mind books for different men.

96. Tell me one man in whose regular employment you are?—I am not in any man's regular employ; men come and give me a set of books for revising, and matters of that kind.

97. Are you an accountant?—I am an accountant.

98. Who has employed you for the last six months?—I have not been six months in constant employ for one person; but different men, during the last six months, have wanted me to make up their books, if their books were astray.

99. Have you been inside any of Her Majesty's galos?—Never, except as a visitor.

100. You are quite sure of that?—Very sure.

101. Are you not out on bail at this moment?—No, I am not.

102. That you will swear?—Indeed, I will; you are misinformed.

103. Who is this Mr. Whithorne?—He is a professional gentleman, an attorney.

104. Do you know a Mrs. Whitehead?—I know a Mrs. Whitehead.

105. Was there any charge against you for having obtained money from her under the pretence of employing an attorney?—On my solemn oath, I lent her 5 *l.*, and I had to take proceedings against her husband for the recovery of it; that is how I know her; that is 20 years ago.

106. Was there not some charge against you for obtaining money from her under the pretence of employing an attorney?—No, never.

107. Nothing of the sort?—No, never; Mrs. Whitehead was a lodger of mine, at that time separated from her husband, and it was to strive to make the husband give her some money that I lent her the 5 *l.*

108. Who is this Mr. Whithorne?—I believe he is an attorney.

109. You know it?—I do not know it; I believe he is a respectable man, as far as I know.

110. Does he not practise in the police courts?—He does.

111. As an attorney?—Yes; I have heard him.

112. What have you been doing there in the police office?—I might have had business there, or I might not.

113. Do you often have business at the police office?—Not very often; I sometimes have to bail out a person who has been in for a freak, or something of that sort.

114. You go bail for persons?—I might bail out a friend.

115. Are you frequently at the police office for the purpose of bailing out your friends?—No, not frequently, unless my friends would want it; if my friend sent for me I would go.

116. Have you seen Mr. Whithorne there frequently?—I have seen him at different times.

117. Has Mr. Whithorne ever employed you?—No; he has never had books to make up.

118. Have you ever employed him?—Yes.

119. In what way have you employed him?—In the Civil Bail Court, to recover a debt for me; only once.

120. Who was the man who gave you the 3 *l.*?—I do not know him.

121. Have you ever seen him since?—I do not think I have; I might have seen him, but not to my knowledge.

122. Have you seen either of the other parties who were there?—There is one of the two men I have seen since, but I do not know his name.

123. Try and recollect his name?—I do not know it.

124. Have you ever tried to ascertain it?—No; I met him accidentally once in the street.

125. Who did you first tell this story to?—That I must take time to consider.

126. Who did you first tell the story to about being bribed with the 3 *l.*?—On my oath I forget who I told it to first.

127. Who did you tell it to second?—I told it to Mr. Hurst, I think, the first time; but I need not have told him, for he was by at the very first conversation I had

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I had with Mr. Whithorne; but I thought it right to tell him the way in which it had been done.

128. About their humbugging you?—Yes.

129. When did you tell Mr. Hurst?—I think a fortnight or so after the election.

130. Where does Mr. Hurst live?—He lives in Charlemont-street.

131. What is he?—He was a respectable grazier.

132. What is he now?—He is now, for aught I know.

133. Where was Mr. Hurst when you told him?—I casually met him in the street; he was by at the very commencement that I was attacked to vote; and as he was by, I thought it but right to tell him that I did not get what I was promised.

134. Do you mean to say that Mr. Hurst was by when you were promised 5 *l.*?—I do tell these gentlemen that Mr. Hurst was by when Mr. Whithorne told me this. I asked Mr. Whithorne, "Are you an agent of the opposite party," as I called them; and he said, "I am, but I would not like to let everybody know it;" and he pulled me on one side.

135. *Chairman.*] Who did?—Mr. Whithorne did; he said he would not like everybody to know it. I asked him whether he was an agent for Vance and Grogan.

136. Mr. *Slade.*] When you were asked for your vote, did you ask Mr. Whithorne whether he was an agent for Vance and Grogan?—I asked him that question.

137. Why did you want to know that?—I did not think it right for me to go with any person who was not authorised, who had promised me so faithfully the money; and I said, "Are you the agent?" and he said, "I am; but I do not like to let every body know it."

138. Was that before he pulled you on one side?—He pulled me on one side first.

139. Was this said in a whisper?—In a sort of whisper.

140. Before anything was said of the 5 *l.*?—No.

141. Was it afterward?—It was; I asked him whether he was an agent. I have given you the substance of what was said; he said, "I am; but I should not like to let everybody know it;" and he pulled me on one side, not to let the other men hear of the talk about the 5 *l.*

142. Who were the other men?—Mr. Hurst was one.

143. What did he say then?—That is all.

144. What did he say about the 5 *l.*?—He said he would insure me that, or more.

145. What was your reason for asking him if he was an agent?—I told you before that I did not consider it right to be making a bargain with a man who was not an agent.

146. There was no harm in making a bargain with a man who was?—Exactly so. I would not be speaking to a man who had no authority.

147. Mr. Hurst having been by to hear nothing of this, you thought it right to let him know that you had been humbugged?—I say so still.

148. Did Mr. Hurst hear the offer about the 5 *l.*?—I think he did hear the offer about the 5 *l.*

149. If he did hear the offer about the 5 *l.*, where was the necessity of pulling you on one side?—I will show you; I asked Mr. Whithorne, Was he an agent; and he pulled me on one side to tell me he was, and he would not like to have everybody know it.

150. It was the question of the agency he did not like to have known?—It was.

151. Not the question about the 5 *l.*?—I do not know anything of that; he might have heard him say that or not. There were three or four of us standing together; Mr. Whithorne's brother was there.

152. When Mr. Whithorne said he would insure you 5 *l.* or more if you would vote for Vance and Grogan, his brother was there, and heard it?—I do not know whether he heard it; he was there.

153. How close were they?—They were not so close as Mr. Whithorne and me; we were speaking in a low tone.

154. Do you think they heard it?—I do.

155. Mr. Hurst was the first person you told of it?—I think he was.

156. Who

156. Who was the next?—I do not know.

157. When did you go over to the other side and tell it?—I was sent for by Mr. Byrne to his own house, and there was a gentleman there with him; and he says, "Mr. Byrne, you must come down to Mr. Reynolds'; I gave in your name, and told that you were badly treated in the way you were served, and you must meet me to-morrow, and we will go down to Mr. Reynolds' house;" and I went down with him to Mr. Reynolds.

158. Where does Mr. Hurst live?—No. 5, Charlmont-street.

159. Was Mr. Reynolds one of the candidates?—Yes; I did not see Mr. Reynolds himself; I saw his son, and the son requested me to go to Mr. Kernan, the solicitor, and I went there the next day, and stated to Mr. Kernan what I knew on the subject.

160. You told your story, and it was put down in writing?—Yes.

161. How long was this after the election?—The election was in March, and this was in June; at the time the petition was spoken about.

162. They were looking up for evidence, and Mr. Hurst sent for you, and you went to him?—I did.

163. Did Mr. Hurst go with you to Mr. Kernan?—Yes; he introduced me there.

164. Was he present when your statement was taken down in writing?—He was.

165. Is he over here?—I do not know.

166. Do you know that we are going to see him?—I do not; I suppose he will come if he is sent for.

167. When you saw Mr. Keating during this interview, who was present?—I did not know a man of them.

168. Give us any one of their names?—I did not know one of them.

169. Do you know Mr. Alexander Reeves?—No.

170. Was any one present when you were talking?—There were a good many round the table, but Mr. Keating came outside the door to the lobby with me.

171. Was this at the house in Church-lane?—Yes.

172. Did you ever see Mr. Keating before the election?—I did.

173. Where?—At the Revision Court, very often.

174. I mean during the election?—I saw him at the Registration Court very often.

175. Did you see him, with reference to your vote, at any time during the election?—No, only at the time that Mr. Whithorne brought me to the committee-room.

176. When you got your first card?—Yes.

177. Who was present then?—Mr. Whitehead was present, and other gentlemen whom I do not know.

178. Was anything said at that time about money?—No; nothing was said to me about money, only what Mr. Whithorne said.

179. Was anything said to you by Mr. Keating about money at any time?—No.

180. Did you mention to Mr. Keating anything about money?—Mr. Keating asked me if I got anything, and I told him I did, only 3*l.*

181. That was in the lobby in Church-lane?—Yes.

182. At that time you had just got the 3*l.*?—Mr. Keating told me when he gave me the card, "Mind that card; you may want it."

183. Where was that?—In Green-street.

184. Who was present?—Mr. Whithorne, and the other men making up the tally.

185. What do you ordinarily earn at your manifold trade?—If I was engaged always at work, not being idle, I would earn from three to five pounds, either in writing memorials, or making up books for men, who want me; some weeks I do not earn 15*s.*

186. That is when trade is pretty brisk?—Yes.

187. What do you earn one week with another?—About a guinea a week, sometimes less.

188. What have you earned since you gave this evidence to Mr. Kernan?—I suppose, on the average, about a pound a week.

189. Have you had anything from them?—No.

 190. Nothing?

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190. Nothing?—No.

191 No promise?—No; they gave me the fare to come here.

192. Have they given you nothing besides?—They gave me two sovereigns, and my return ticket here and back.

193. Where did you get those clothes?—I bought them, and paid for them.

194. Out of your earnings?—Yes, and better clothes than they were.

195. Mr. *M'Donogh.*] Is this the gentleman, on my right hand, to whom you told this?—Yes.

196. You were given two sovereigns and a return ticket on your coming over here?—Yes.

197. *Committee.*] Are you a freeman?—Yes; I have been a freeman since 1841.

198. Do you know anything of this society that was formed in 1852?—No; I belong to no society at all.

199. You were never at their meeting?—No.

200. This card was written out in your presence?—It was.

201. Who filled it up?—Mr. Keating, and he told me to mind it; I might want it, and he laid a stress upon the word.

202. Did he write the words "Michael Byrne"?—Yes.

203. Have you ever been examined before in a court?—No, never in a committee.

204. I am speaking of a court of justice?—Yes, I might have been a witness.

205. Lately?—No.

206. How often, do you think?—Very seldom, perhaps a couple of times.

207. Mr. *Slade.*] Did you ever show any body these three 1 *l.* notes?—I did not; I lent one of them to a friend.

208. *Chairman.*] Tell us what has become of all three?—It went the way that all money goes, and I lent one of them before I had it long to a friend.

209. What was the name of your friend?—Brown; he lives at No. 50, Patrick-street.

210. What is he?—He is a publican. I believe it was at a time he might be short I lent him one, and he paid me back again.

211. What became of the other two?—I do not know what became of them.

212. Mr. *Slade.*] When did he pay you back?—Very shortly.

213. Within a week or a fortnight?—Yes.

214. What did he pay you in?—He paid me in silver; I got it between value and money.

215. Will you explain that?—If I got any spirits from him, of course he stopped it.

216. *Chairman.*] Did you get any spirits from him?—I did.

217. Mr. *Slade.*] How much was in goods and how much was in silver?—The balance.

218. How much was the balance?—It was very near 1 *l.* I did not take much value out of it; I might buy of him a bottle of whiskey.

219. *Chairman.*] Did you bring him a bottle of whiskey?—I did; I thought it was all right.

220. Mr. *Slade.*] How much was the bottle of whiskey charged?—Fivepence a noggin was the price of it.

221. How many noggins are there in a bottle?—There are two noggins to the half pint; I did not get more than a pint from him.

222. You did get a pint?—Yes.

223. The rest you got in silver?—I did.

224. You say you were called into the room at Jones's?—Yes.

225. Was Jones present when you were called in?—No; I did not see him at all.

226. *Committee.*] Did you vote in 1852?—I did.

227. Were you paid for your vote?—No; I never was paid for a vote in my life before.

228. Who did you vote for in 1852?—For the Liberal candidate.

229. He did not pay you?—No.

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230. WHAT is your business?—A Law Clerk.

231. Are you in any particular attorney's service, or are you a law clerk generally?—I am a law clerk generally; I have been in particular service up to within the last two months.

232. Who was that person?—Mr. George Cecil Wybrow, of Harcourt-street.

233. Now you are generally a law clerk?—Yes.

234. Do you know two persons of the name of Reeves?—Yes.

235. What are their names respectively?—Joseph and Benjamin.

236. Are they voters for the city of Dublin?—I do not know; I have heard they were freemen.

237. Were you conversing with these parties antecedent to the day of the election?—One of them lives in the same street with me, and I am frequently in conversation with him.

238. Do you remember to have been at Reeves's house?—Yes.

239. Which of them?—Joseph.

240. You were there frequently?—Yes.

241. On one particular occasion, about the time of this election, did you happen to be at his house?—I have not been at the election this time at all; I was at his house frequently.

242. Were you at Reeves's house on the day of the polling?—No; I do not know; I might have been.

243. Are you able to say?—Not positively.

244. Were you at Reeves's house on the day of the nomination?—I cannot state positively to one day.

245. You were there very often?—Very frequently.

246. Had you any conversation with Reeves, or his brother, in relation to the election?—Yes, frequently.

247. On the immediate approach of the election had you any conversation with these persons, the Reeves?—I think I had; I am not positive.

248. Do you know a person named Dr. Haffield?—I have seen him; I do not know him.

249. You know his appearance?—Yes; I think I know him by sight.

250. Where does he live?—I think he lives in Charlemont-street.

251. Did you see Dr. Haffield in company with the Reeves' about the time of the election?—I cannot exactly say; I did at or about that time; I am not sure whether it was before or after; I cannot say positively now.

252. Is that your handwriting (*hands a paper to witness*)?—It is.

253. On the 30th of March last were you in company with Joseph Reeves, of 41 Chamber-street?—I cannot state any particular day.

254. Do you remember the polling-day of the Dublin election?—I remember the day the election took place; I was not employed at it, or at any polling place.

255. Did you see Joseph Reeves on that day?—I think I did; I cannot positively swear.

256. Mr. *Slade*.] You saw him so often you cannot tell?—That is the fact.

257. Mr. *M'Donogh*.] Had you any conversation with Reeves in reference to his voting at the election?—At any particular period, or ever?

258. Ever?—I have had.

259. When was that conversation?—That conversation was since I got notice that I would be brought here.

260. *Chairman*.] Had you any conversation with him relative to his voting before the election?—None.

261. Mr. *M'Donogh*.] That you swear?—I do.

262. *Committee*.] Or immediately after?—I might have spoken to him about the election, but I cannot positively say.

263. At any time?—Since I got the notice we have talked of it.

264. At any time before you were summoned had you any conversation with him about the election?—I really cannot say; I might or I might not.

265. You must say whether you had or not?—My memory does not serve me sufficiently to say so.

266. Mr. *M'Donogh*.] This is your handwriting?—It is.

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267. Did you make this declaration on your oath before a magistrate of the city of Dublin?—No; I know that declaration.

268. Did you sign it?—I did.

269. That is your name?—Yes.

270. Did you go before a justice of the peace and declare that?—No.

271. Now, on your oath, is it not a fact, that, on Monday morning the 30th of March, the day of polling, you were in conversation with Joseph Reeves, of 41, Chamber-street?—No.

272. That is not the fact?—It is not the fact.

273. Is your memory clear about that?—I cannot swear it.

274. Then you may have been in his company?—What I said before was, that my memory does not lead me positively to say so.

275. *Chairman.*] Is this signature your handwriting?—It is.

276. Mr. *M'Donogh.*] Did you go before Mr. Dennis Maylan, a justice of the peace?—No.

277. You did not go before him at all?—No.

278. *Committee.*] Did you go into the clerk's room of the justice?—I never went to seek for a magistrate to make that declaration.

279. *Chairman.*] When did you put your handwriting to that?—I think the day of the date; it is dated the 17th of June; a week before I might have put my hand to that.

280. Mr. *M'Donogh.*] Where was it you put your name to that?—I think I put my name to that in Green-street.

281. In what place there?—In the Recorder's Court; the judges were sitting.

282. Was there a magistrate on the bench?—Not to my knowledge; the judge was on the bench.

283. Did you see Mr. Dennis Maylan there?—I do not know him.

284. *Chairman.*] How do you know that Mr. Dennis Maylan was not present?—I do not know that; I said I did not know him.

285. How do you know that you did not go before Mr. Dennis Maylan?—I said I did not know him.

286. You were in a public court; how came you to be there?—There was an infant child of mine fell into a well, and the man was put on his trial for manslaughter. I, as the father, was obliged to attend the court for two or three days; and while I was in the gallery of the court-house, in Green-street, I think a pen was brought to me, and I was asked to sign that; I was followed into the gallery in the crowd there; there might have been a magistrate there, but I do not believe there was any one but the judge on the bench.

287. *Committee.*] Did you see the usher or the clerk of the court?—The registrar was there, and the whole court was sitting in the proper place; I was up in the gallery beyond, for a while.

288. Did any one professing to be the usher or officer of the court ask you if that was your name to that declaration?—No; no one but Cruikshank. He put his initials on the back of the declaration, and he saw me sign it.

289. Was it read over to you?—I read it.

290. Who took it out of your hand when you signed it?—He who brought it to me, Cruikshank.

291. Who is he?—He is a shoemaker.

292. Do you mean to say that no person except Cruikshank had anything to do with the signing of that declaration?—No. If you will allow me I will explain the matter; I think it is a duty I owe to myself. I have been, and everybody belonging to me have been, of the Conservative side. I was followed frequently, and asked, could I do something towards supporting this petition.

293. Give us the date of that?—I think it was about the 20th of June. I used to meet Cruikshank frequently on several occasions; and I was asked, could I make out a case for the support of the present petition? At first, of course, I told the truth, that I could not.

294. *Chairman.*] Who did you tell that to?—To the party who was asking me, Cruikshank; I then began to laugh at the chap when I found he was thinking to dupe me, and I made up that story. I said, I would not go before the magistrate; you make it up as you like. He said, "Come with me to Mr. Kernan's, and tell that, and it will be beneficial both to you and to me." At first I told

I told him the fact. He told me he would get me remunerated if I would sign that declaration.

295. Mr. *M'Donogh.*] Who said that?—Mr. Cruikshank.

296. *Chairman.*] And thereupon you did sign it?—I did sign it.

297. *Committee.*] Was this in the gallery of the court?—I think it was in the gallery, because he came and attended the hearing of that trial of mine.

298. You must recollect whether you signed it in the gallery or in the body of the court?—I am certain I would not sign it in the body of the court, I would not be admitted there.

299. *Chairman.*] After you had made this declaration, what passed then?—Cruikshank gave me 17 *s.* 6 *d.*, and took an I O U of mine for a pound; he said the money was his own; it was he that was advancing it to me, and I was to give him an I O U.

300. After this, when did you change your story?—I never changed it until now.

301. *Committee.*] Are you quite certain that no person communicated with you on the subject of this declaration, after you gave it to Cruikshank, to ask you whether it was your declaration?—Cruikshank did.

302. No one else ever spoke to you in any way?—No one else. He told me it should never leave his possession, or I should not have signed it.

303. Mr. *M'Donogh.*] You never changed your story till this moment before the Commitee?—No.

304. After making that declaration, did you repeat the same statement, in order that that statement might be taken down in the briefs?—I do not think I ever did.

305. Will you swear you did not?—I swear positively I never did, for the purpose of its being taken down in the briefs, or anything else.

306. Did you repeat the story over again?—I might have repeated it 20 times.

307. Did you repeat it 20 times, the self-same story?—Very nearly.

308. In substance the same?—In substance the same.

309. Did you not repeat it to Mr. Kernan, the attorney for the petitioner?—Something tantamount to it.

310. Is it true you were in conversation with the two Reeves about their voting; and Dr. Haffield came up, and asked them how they would vote, and Dr. Haffield paid them 2 *l.* each for their votes?—It is not true.

311. This is what you say: "that on Monday morning, the 30th of March last, being the day of polling for the late election of the city of Dublin, I was in company with Joseph Reeves, of No. 41, Chambers-street aforesaid, and his brother, Benjamin Reeves, of No. 18, Aungier-street, in said city, both of whom were freemen of said city of Dublin; that said Benjamin and Joseph Reeves were consulting as to how they should vote at said election; and, whilst they were in consultation together, Dr. Henry B. Haffield, of No. 14, Charlemont-street, in said city, called at the house of said Joseph Reeves, and asked them to vote at the said election for Messrs. Vance and Grogan, which they agreed to do, on being paid the sum of 2 *l.* each; that said Henry B. Haffield thereupon, in my presence, handed to said Benjamin and Joseph Reeves 2 *l.* each, in notes of the Bank of Ireland, which notes he cut out of a book of Bank of Ireland notes, which he had in his hand; that immediately after, said Benjamin and Joseph Reeves, the wife of said Joseph Reeves, and myself, got upon a car, and proceeded to the polling place in Green-street, where said Benjamin and Joseph Reeves voted for Messrs. Vance & Grogan." Now, is that true, on your oath?—No.

312. That is not true?—No.

313. You told that deliberate falsehood, and invented that story; did you on your oath?—I did.

314. You invented that story when there was not a word of truth in it, and signed your name to the foot of it; and, on the faith of your story, you and the two Reeves were brought to this city; are you lodging in the same house in London with the Reeves?—Yes.

315. On your oath did you see Dr. Haffield on that day?—No.

316. Did you see Dr. Haffield pay 2 *l.* to each of them?—No.

317. Or any sum of money?—I did not see him that day, I think.

318. Did you see him pay any money?—I did not.

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319. On your oath?—No.

320. Not a fraction?—No.

321. *Committee.*] Have you read this declaration yourself?—Yes.

322. And you signed it?—Yes.

323. Is that true or false?—It is not true.

324. Is that declaration false?—It is.

325. You knew it was false when you made it?—Yes, I did.

326. Do you remember if the signature of the magistrate was there when you signed it?—I do not think it was.

327. You do not think the magistrate was there at the time?—I do not think he was; I did not see him.

328. Mr. *M'Donogh.*] Did you, on this day, repeat the same story to this gentleman, Mr. Coppock?—I did not repeat the same story.

329. Was it the same in substance?—I cannot say; I told him if he put me into the box I should deny the facts.

330. *Chairman.*] You have got all the facts before you, and I think it is due to the character of this gentleman, who is the justice of the peace, that this man should be prosecuted.

Cross-examined by Mr. *Slade.*

331. Who is this man Cruikshank, who appears to have hunted you up for two or three days at the police court?—He is a shoemaker.

332. Was he a man employed in getting up evidence for the petitioners?—I do not know.

333. In whose handwriting is the body of this document?—I do not know.

334. Who wrote it?—It was given to me as it is now, to sign my name to it, with the exception of the magistrate's name; I am not positive whether that was there or not.

335. Had you told this tale to Cruikshank before it was written down here?—I had.

336. Did he write it down from your mouth?—No; I told him the tale two or three times; he took it down from memory.

337. You are no voter?—No.

338. The two Reeves are here?—Yes.

Mr. *Slade.*] I wish to know whether my friend has closed the case of the Reeves, that we may know whether to send for Dr. Haffield or not.

Chairman.] You shall have an opportunity of telegraphing for Dr. Haffield if it be necessary.

William Walker, sworn; Examined by Mr. *M'Donogh.*

W. Walker.

339. ARE you a freeman of Dublin?—I am.

340. Where do you live?—In Lisbon-street.

341. What are you?—A cabinet-maker.

342. Do you remember a week before the election calling on Mr. John Judkin Butler?—I do.

343. Where does he reside?—In Upper Gardner-street.

344. Did you make any application to Mr. Butler?—I did.

345. What for?—For employment on the day of the election.

346. What answer did Mr. Butler give you?—He did not give me a decisive answer; he desired me to call again.

347. Did you call subsequently?—I did, frequently.

348. How near to the day of polling was this?—Within three or four days.

349. What was the communication you made to Mr. Butler?—The first time I applied to him he asked me had I a vote; I told him I was a freeman; and he desired me to call again.

350. What passed on the second occasion?—He did not give me a decisive answer; he said I must call again.

351. Did you call a third time?—I did, on the Saturday, the day of nomination.

352. What

352. What occurred then?—I asked him to give me a few lines to Mr. Gibson, the conducting agent for Vance and Grogan, and he did so.

353. Did you take that to Mr. Gibson?—I did.

354. You gave him a paper?—I did.

355. Did you read it previously?—I did; it was on the back of a card.

356. What is the substance of it?—As well as I can remember, Mr. Butler said, Mr. Gibson will oblige him by giving me some employment at the election.

357. What became of that?—Mr. Gibson tore it up when he read it.

358. Did Mr. Gibson give you any employment?—No; he said he was sorry I was too late; they were all employed.

359. Were you employed at all during the election by any person?—Upon the morning of the election, on the Monday, I went to Mountjoy committee-rooms in Sackville-street, and saw Mr. Butler there, and told him Mr. Gibson's answer, that they were all filled up. Mr. Butler then said he would do something for me, and gave me a printed paper, and sent me down to Green-street.

360. Did he tell you what you were to do?—I forget that.

361. Can you remember the substance of the paper?—The paper was a list of the polling-booths, and I was to direct voters to the different polling-booths.

362. What did you do with that paper?—I cannot say.

363. What did Mr. Butler tell you to do with it?—To direct the voters to the booths.

364. Did you take that paper to Mr. Gibson?—No; I never saw Mr. Gibson, except on the Saturday.

365. Did you ever receive any money from Mr. Butler?—I did not from himself, I did from his son.

366. What is his son's name?—I do not know.

367. About what age is he?—He is a young man between 23 and 24.

368. How much was this money?—Thirteen shillings and tenpence.

369. *Chairman.*] You applied to Mr. Butler after the election for some money?—Yes.

370. The father, or the son?—The father.

371. Mr. *M'Donogh.*] What did you say to him when you applied for the money?—I said I wanted to be settled with.

372. What did he say?—He said he would clear me, or something tantamount to that, and desired me to call again at his own house.

373. Did you call again?—I did.

374. Did you see him on that occasion?—I saw him on the Friday afternoon after the election on College-green.

375. Was it there that he told you to call at his house?—Yes, on the following afternoon.

376. You met him in the street?—No, at the Conservative committee-rooms.

377. Did you call at his house on the following afternoon?—I did.

378. Is Dame-street a continuation of College-green?—It is.

379. These were the committee-rooms you speak of?—I think they were the corner of Church-lane.

380. Was it there where you met with Mr. Butler?—Yes, and I asked him when I was to be settled with.

381. Was it then he told you to come to his house?—He went inside, and had a conversation with Mr. Cusack, and I was called in.

382. Where?—Into the room.

383. Who was there?—Mr. Cusack and Mr. Butler, and Mr. Butler told me to call at his own house on the following afternoon, and I should be settled with.

384. Did you do so?—I did.

385. What occurred when you called at his house?—Nothing; but I received the money, and had to sign a receipt for it.

386. You received the money from whom?—From young Mr. Butler.

387. And you gave a receipt?—Yes.

388. Did you say anything about the amount when you received the 13*s.* 10*d.*?—I said I was very much disappointed, and told him I expected a great deal more than that.

389. Did you vote at the election?—I did.

390. For whom?—For Vance and Grogan.

 391. Did

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391. Did you say how much you expected?—No, I did not.

392. What did he say when you told him you were disappointed, and expected more?—He said he knew nothing about it.

393. Had Mr. Butler said anything to you in reference to your vote?—Nothing more than the first day when I went he asked me if I had a vote.

394. Did he ask you how you would dispose of that vote?—He did not.

395. Was it after he learned you had a vote that he thus employed you?—Yes.

396. What service, if any, did you render to Mr. Butler on this occasion, can you tell?—I could not.

397. *Chairman.*] On what ground did you claim more than 13 *s.* 10 *d.*?—I did not claim it; I said I expected it.

398. On what ground did you expect more?—I cannot say.

399. *Committee.*] Did you direct voters to the poll, according to this paper?—I had the paper in my hand.

400. Did you direct them?—No.

401. You made no use of the paper?—No.

402. Did Mr. Butler, the father, tell you to call upon his son?—No.

403. Did he mention his son's name in any way?—No; he desired me to call at his house; I expected to have seen the father.

Cross-examined by Mr. *Slade.*

404. Have you always voted for the Conservative candidates?—I have.

405. Had you voted that day for Messrs. Vance and Grogan, before Mr. Butler gave you this paper?—No, I had not.

406. Did you receive any bribe for your vote?—No.

407. Was anything said by Mr. Butler, father or son, with reference to your vote; was it made a condition that you were to vote for Vance and Grogan, giving you this paper and this employment?—No, it was not.

408. Mr. Butler never mentioned your vote, except on the first occasion he asked if you had a vote?—Just so.

409. How long was this before the day of election?—I should suppose four or five days.

410. You said you did not direct the voters to the poll; was that your duty that you were called on to perform, if you had performed it?—I should think so.

411. Was it on account of that that you received the 13 *s.* 10 *d.*?—It was.

412. That is fifteen Irish?—I do not know what you call it.

413. *Committee.*] Were you at the committee in Ross-lane before the election?—No.

414. You know nothing of the Protestant Society?—I do not belong to it.

415. You do not pay a penny a week?—No.

416. When you asked for your money, did you tell Mr. Butler you had not done any service?—No.

417. This was a printed paper?—Yes.

418. Was it merely a printed list of the polling booths?—A printed list.

419. Such as is generally used at elections?—Yes.

420. Did you vote at the election before this?—I did.

421. Were you employed then?—I was.

422. And paid for it?—Yes.

423. How much were you paid in 1852?—£. 1.

424. You voted at the election before that?—Yes.

425. Were you employed then?—No, I was not.

426. Did you do anything when you were paid 1 *l.*?—I was an agent then.

William Moy, sworn; Examined by Mr. *M'Donogh.*

William Moy.

427. ARE you a freeman of Dublin?—Yes.

428. In consequence of anything you heard did you go to the committee-room of Vance and Grogan?—I did

429. On what day?—On the day of election, early in the morning.

430. About what hour?—Between seven and eight.

431. What

431. What committee-room did you go to?—To Dame-street.

432. Did you see any gentlemen there?—I did.

433. Did they take you to Mr. Gibson?—No, I went up to the room myself.

434. Did you see Mr. Gibson?—I did; there was another gentleman in the room, and I asked him if I could get a card from Mr. Gibson, as a messenger on that day, and Mr. Gibson said first that he had not got one, but he went into another room, and it happened that he had two, and gave me one.

435. Did you say anything about your voting on that occasion?—Not a word.

436. Were you asked whether you were a freeman?—They knew I was; I was well known; I have carried on the business of a smith for many years; and I am well known to be a freeman, and my father was before me.

437. What did you do with that card?—I kept the card, and the week following Mr. Cusack signed it, and I got 13 *s.* 10 *d.* down in Forster-place.

438. How were you employed during the election?—As a messenger in Ross-lane, at the Freemen's Society's rooms.

439. Who directed you to go to Ross-lane?—Being one of the members, I knew where to go to; I was a member since the formation.

440. How did you employ yourself at Ross-lane?—By bringing the voters who wanted cars; I brought up my brother, and my brother-in-law, who always voted whatever way I did.

441. Do you know a man of the name of M'Dermot?—He was the first man that I went for that morning, and brought him up; he was a very old freeman.

442. Did he ask you anything?—He asked me if I could get him a car, and I got him down to Green-street.

443. When you asked M'Dermot for his vote, did he say anything to you?—I did not ask him for his vote; I went for him, and he told me he was going to vote for Grogan and Vance.

444. What did he say to you?—He did not say anything at all; I brought him over to the car, and I was in such a hurry to get back to Ross-lane that I left him at home; and the poor old man, although he has been living upon the charity of the society, did not get so much as a tumbler of porter, or the price of it.

445. Did M'Dermot ask you how much he was to get?—No, he did not.

446. Did you say anything to him?—I told him, after the election, if there was anything to be going, that he would get it as well as another.

447. Had he said anything to you about his expectations?—No; he had not, either public or private.

448. Then how came you to volunteer that statement?—When I was coming home in the car he asked me would he get anything, and I told him, very likely when the election was over he would get the same as another.

449. *Chairman.*] He asked you, would he get anything?—Yes.

450. When did he ask you?—When I was bringing him home in the car.

451. Mr. *M'Donogh.*] What were you paid?—Thirteen and tenpence for my day's work, and I could have earned double that at home.

452. Who were they that always voted with you?—My brother, Arthur Moy, and Mat Hughes, my brother-in-law.

453. Was there a third?—I do not know the other man's name.

454. Did your brother vote on this occasion on the same side as you?—Yes.

455. When you were paid this 13 *s.* 10 *d.*, did you ask for any more?—No, I did not.

456. You took what was given you?—Yes.

457. Had you any authority for telling this man that he would get what was to be given?—No, I had not.

458. Had you any conversation with Arthur Moy on the subject?—No, I had not; he was at work at the Lord Lieutenant's, at the Park.

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Cross-examined by Mr. *O'Malley.*

459. Did you know who the gentleman was who paid you?—I was paid down at the bank in Forster-place.

460. *Chairman.*] Are you a member of this Ross-lane Society?—Yes.

461. What is the object of your society?—The object of it is to relieve poor freemen, who pay a penny a week; and if any of them are sick, we relieve them as far as it is in our power; and if any of the members are poor, by one of the members going bail for them to get a loan of 10*s.*

462. How long has your society existed?—Since the election before this.

463. What had it to do with the election?—Nothing, except that all the members are freemen.

464. What had the election to do with it?—Nothing at all; only the freemen were there, and they were hired for the day.

465. Mr. *O'Malley.*] Did you not advertise the rooms to be let?—No; only it was agreed that they should be let.

466. *Chairman.*] Had the election in 1852 anything to do with the beginning of your society?—No, it had not.

467. Have you had any contributions for your funds from any other source than the penny a week?—Yes; there was a good deal of money came from the Castle, and Major Brown, who is the head of the police, is a member, and all the firm of Messrs. Guinness subscribe 5*l.* a year; Mr. Little, who was killed, was a subscriber; and a great many Protestant gentlemen in Dublin; and there was a charity sermon preached for its benefit last Sunday.

468. Does the Lord Lieutenant subscribe to your funds?—I cannot say; I do not think he does; a great many come from anonymous persons; the Lord Mayor was at the charity sermon on Sunday last.

469. *Committee.*] Were any donations given by those who were elected in 1852?—I cannot say.

470. Were you one of the committee?—No; but I have often been chairman of the meetings.

471. *Chairman.*] Were your rooms let at this election in 1857 to either of the parties?—They were; I do not know whether Mr. Lilley or Mr. Downs let them; but they can tell you; there were bills in the room and placards on the doors and the windows.

472. Was anything paid for the use of these rooms?—I cannot tell; I know there is a man of the name of Wyn, who furnished a bill for his expenses, but I understand he has not got a farthing.

473. Whose placards were they?—Messrs. Grogan and Vance's.

Thomas Tighe, sworn, and examined by Mr. *M'Donogh.*

Thomas Tighe.

474. ARE you a freeman of Dublin?—I am.

475. And a tailor by trade?—I am.

476. Are you a member of the Ross-lane Society?—I am.

477. Have you been since its formation?—I have.

478. Do you remember when it was formed?—I cannot say the date; but I joined it in Patrick-street.

479. Do you know a person of the name of Lilley?—I do.

480. Is he the president of that society?—There is Mr. Benson, Mr. Jackson and others, besides Lilley.

481. Do you know your own rules?—I cannot read nor write.

482. Had you any conversation with Lilley before the election in reference to any money?—No, I had not; I never got any money from any person.

483. Did you ever hear Lilley say anything?—No, I never did; only that he would pay me the same as any other man.

484. Upon the coming on of the election, were you present there?—I was backwards and forwards many times; but sometimes I was not there for four or five weeks.

485. Did you hear Lilley say anything on the subject of the election?—Only that he expected that every man belonging to the society would of course vote for Vance and Grogan.

486. *Committee.*]

Thomas Tighe.

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486. *Committee.*] Is that a rule amongst yourselves?—It is mostly; it is a Protestant society.

487. It is a point of faith with you to vote for them?—Yes; you must be a Protestant to join the society, and a freeman besides.

488. Mr. *M'Donogh.*] Were you employed at this election?—I was on the day of the election.

489. In what capacity?—I was employed going messages, and doing anything I was bid to do, of course.

490. Who employed you to do this?—Mr. Gibson, in Dame-street, put down my name.

491. Do you know, how many members of the Ross-lane Society were employed in going messages?—I do not; I cannot say the number.

492. Do you know, as a matter of fact, that there were a considerable number so employed?—I cannot say; Mr. Gibson employed me, took down my name, and gave me a card.

493. Did Mr. Lilley say anything to you about being paid?—No, he did not; Mr. Gibson employed me.

494. *Committee.*] Mr. Lilley did not say anything to you about being paid?—No, he did not; Mr. Gibson paid me, and I was paid opposite the Bank of Ireland.

495. Can you tell how many persons belonging to the society were employed?—I cannot say, but I know there were a great many.

496. *Chairman.*] Have you been a member of the Ross-lane Society from the beginning?—Since the time they were in Patrick's Close.

497. When did they begin?—I cannot say the date.

Joseph Hassett, sworn; and Examined by Mr. *Coffey.*

J. Hassett.

498. WHERE do you live?—In Linen-hall-street, Dublin.

499. Are you a freeman?—Yes.

500. What are you by trade?—A Congreve Match Manufacturer.

501. Do you know a person of the name of George Mahon?—I do.

502. Is he a freeman?—Yes.

503. Did you vote at the last election?—I did.

504. For whom?—For Grogan and Vance; I always voted for them, and I do intend to vote for them.

505. Mr. *Slade.*] You always did, and you always will?—I always will.

506. Mr. *Coffey.*] Before you voted for Grogan and Vance on the morning of the election, did you meet Mahon?—I did.

507. Did you have any conversation with him on that day?—Yes.

508. Do you know John Lilley?—I do.

509. Before you voted, did you see Lilley?—I did.

510. Had you any conversation with Lilley?—Just the routine of election conversation.

511. Did you tell Lilley that anything had occurred between you and Mahon before that?—I might.

512. Did you, in conversation with Lilley, say anything about what had passed between you and Mahon?—In what respect?

513. When you were talking to Lilley, did you speak of having seen Mahon that morning?—I had seen Lilley before I saw Mahon, and I saw him after.

514. Did you talk to Lilley about having had a conversation with Mahon?—I dare say I might.

515. *Committee.*] Did you tell Lilley what had passed between you and Mahon?—Yes, I did.

516. Mr. *Coffey.*] Now tell us what you said to Mahon in the morning?—I did not say anything to Mahon.

517. Did Mahon say anything to you?—He did.

518. Did you tell Lilley what Mahon had said to you?—Mahon said he was promised that he would get 2 *l.* or 3 *l.*

519. What did you say to Lilley about Mahon?—I said, "I understand that Mahon has been polled by you, and that he is to get 2 *l.* or 3 *l.*; or what is going on; if I go with you I will get the same."

520. *Chairman.*] What did you tell Lilley?—I told him that Mahon had said

J. Hassett.

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said that he (Lilley) would see him paid for his loss of time; and I said, I supposed that I would get the same, and he said "Yes."

521. Mr. *Coffey.*] Are you a member of the Ross-lane Society?—I am.

522. Is Lilley a member?—He is.

523. Have you seen him there frequently before the election?—Yes.

524. Do you know what office he fills?—I believe he is the president.

525. Are these the rules of your society?—They are.

526. Have you seen Lilley in the chair of that society?—I have.

527. In the week or the fortnight before the election were you present at any meetings of that society?—No doubt I was, but I cannot tell when it was. I joined the society on the 21st of last October.

528. In March were you present at any of the meetings of the society?—I dare say I was.

529. Did you see Lilley there?—Sometimes he would be there, sometimes not.

530. Do you know Thomas Benson?—I do.

531. Did you ever see him at the society?—Yes.

532. Do you know James Farrell?—I am not acquainted with him; I have seen him.

533. Have you seen Farrell at the society's meetings?—I have.

534. Was there a meeting of the society held the day before the nomination?—I cannot say; I was not there.

535. Did you ever see Mr. Vance at a meeting of the society in Ross-lane?—Never.

536. Do you know if Mr. Vance is a subscriber to the funds of your society?—I cannot say.

537. Did you vote for Grogan and Vance?—Yes.

538. After the election were you present at any meetings of the society in Ross-lane?—I was; and have generally attended ever since.

539. Did you observe Lilley there?—Sometimes he would be there; sometimes not.

540. After the election, for some five or six meetings, was not John Lilley in the chair?—Yes; he was in the chair.

541. About how many members were in the habit of attending?—I cannot tell.

542. You can give us in round numbers?—Twenty or thirty, or from that to forty.

543. Was the room crowded, or were there a few?—It was not crowded.

544. The numbers would vary sometimes?—Yes.

545. Sometimes there would be a large crowd, sometimes a few people?—I never saw a large crowd.

546. Do you recollect anything that Lilley said when he was presiding over these meetings after the election?—There were so many things I could not recollect them.

547. Did Lilley say anything with reference to any promise?—Where?

548. While he was in the chair presiding at these Ross-lane meetings?—About what promise?

549. About a promise made by him (Lilley)?—In what respect?

550. Did he say anything about the promise he had made to the freemen?—I do not think I could say anything with reference to the freemen; he said, that whatever he had promised he would fulfil; that is all I heard him say.

551. Did he say anything as to the period when he would fulfil his promise?—Not in my hearing.

552. Did he make that observation on one occasion or more?—I believe he made use of that expression on two occasions.

553. Were those at different meetings of the society?—Yes, the regular Tuesday evening meetings.

554. You were present?—I was.

555. Was anything said with reference to the 30th May or any other period?—I do not recollect.

556. Did he say anything about a petition?—Yes; he said anything that would be done, would not be done until after the time had elapsed for the petition to be leaving.

557. Tell us exactly what he said with reference to the petition, as near as you can?—I think I have told you every word I heard him make use of.

558. Was

558. Was this observation of his made on more than one occasion?—Yes, a couple of times.

559. Can you tell us the names of any persons who were present?—There were many I knew by sight, but did not know their names.

560. Did any one go with you to the poll when you voted?—Yes.

561. Who?—Lilley went with me; he polled me.

562. Was that immediately after the conversation you had with him about Mahon?—I think I polled between two and three o'clock.

563. Where did you meet Lilley?—In Green-street.

564. Where did you go to poll?—In the new building in Green-street, and a man of the name of Harrison polled with me. Lilley polled us both.

565. Did you get paid anything through the election auditor for your services?—I did.

566. How much?—Thirteen shillings and tenpence.

567. When were you paid?—I got the order on the Saturday before Easter, and I was paid on Easter Monday.

568. After polling, did you go directly home?—I could not answer that satisfactorily. I might have gone home or not.

569. If you remained, you were lounging about?—No, I did not remain 10 minutes.

570. Where had you been the previous part of the day?—In Green-street.

571. On the polling-day did you hear Lilley give any directions to any other persons about voting?—No, I did not.

572. To any crowd in the street about the polling-place?—I did not hear him direct his conversation to any one.

573. You did not hear him make any observations about voting?—No, I did not.

Cross-examined by Mr. *O'Malley*.

574. Who first came to you about your evidence here?—A man of the name of Cruikshank.

575. Is he a shoemaker?—Yes.

576. When did he come to you?—The Sunday previous to the polling he came to me eight or ten times.

577. What about?—About my vote; to solicit me for Messrs. Reynolds and Brady.

578. Did he offer you anything?—No.

579. Why came he so often?—I was not willing to go with him, and he was trying to get me over.

580. When was the polling-day?—The following Monday. He asked me if I would have any objection to go to a man of the name of Ward, who keeps a provision store. The tally-room of Reynolds and Brady was there.

581. Did he tell you what to do?—To have an interview with Mr. Ward.

582. Did he say what you would get?—No; he said I would be well paid. I asked him what he considered being well paid; I said 40 *l.* or 50 *l.* would not well pay me; he said that you will get.

583. What was the service you were to do?—To vote for Reynolds and Brady.

584. Was that all?—Yes, and to get other parties; he durst not deny it.

585. Did he tell you, you might promise them something?—He did not.

586. Did he say, you might tell them they would be well paid?—Yes, he did.

587. Did you see Cruikshank on the day of the election?—Yes; I see him almost every day.

588. When did he speak to you about giving evidence here?—On the announcement of the petition being lodged.

589. Had you told him anything that passed between you and Lilley?—No.

590. Where did he come to you?—At my own place; he is a customer of mine.

591. What did he say to you about your giving evidence?—He said, I ought to come and give evidence; he said, "Did you not get some money? Were you

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not bribed?" I said, I was not bribed. I always voted for them, and always will.

592. Did he not say, you would get paid if you gave your evidence?—He said, I would be taken care of and paid my expenses.

593. Did he say what you would be paid?—No; but, when I told him I got 5 *l.*, he said it was very shabby to pay 3 *l.* for a return ticket, and leave something for my family.

594. Did he tell you, you would get more than that?—He said that I would get as much as the law would allow, and that I would be handsomely rewarded and taken care of. I said they had given me 5 *l.*, I thought it would have been 10 *l.*; he said, "Never fear, you will not be forgotten."

595. He said you would be handsomely rewarded?—Yes.

596. Was anything said about a situation?—Not a word.

597. Did he take you before a magistrate?—No; he wished me to go before a magistrate, but I would not go.

598. When did you come to London?—I left my home at six o'clock yesterday morning, and I have been knocking about by sea and land ever since, and I could not get so much as a cup of tea. I asked the gentleman at the end there to give me a cup of tea before I came here; he promised me, but I did not get it.

599. Did you tell Cruikshank your own story?—No, never a word, good or bad.

600. How has my friend been able to put these questions to you?—You must ask him that yourself.

601. Perhaps he will not tell me?—He is a very candid, honest man, I think.

602. Is he here?—I do not think he is; he came as far as Kingstown; he might do you some service.

603. If he were well paid?—He is not much in doubt of the payment for his services.

604. Were you bribed for your vote at this last election?—No, I was not; but I could have been bribed if I had thought proper to receive it; I could have got 3 *l.* from Mr. Nolan if I had voted for Messrs. Reynolds and Brady; but I would not do it if he had added two extra figures to it.

605. *Chairman.*] What did you get this 13 *s.* 10 *d.* for?—For showing parties the different polling booths.

606. How many of this society in Ross-lane received orders to bring up their fellows?—I could not say.

607. All of them, do you think?—No, not one-twentieth part.

608. Mr. *O'Malley.*] The Ross-lane Society is a society of Protestant freemen?—None others would be admitted.

609. You generally voted for the Protestant candidates?—I gave Mr. Grogan my maiden vote.

610. It is your principle to support the Protestant Members?—I believe it to be so.

611. Did you look upon Messrs. Brady and Reynolds to be fit representatives of Protestant interests?—I think Mr. Brady would have been more likely to be returned than Mr. Reynolds, and he would have had a better chance if he had not coupled himself with Mr. Reynolds; but as long as Mr. Grogan is in the field he never will be.

612. Mr. Grogan is very popular with the Protestant freemen then?—Not a bit more than he is entitled to be.

613. The freemen have a notion that Mr. Reynolds is not very favourable to them?—Mr. Reynolds at one time called the freemen of Dublin a perjured and bribed set of paupers; but now he thinks to recall them, by flattering them, to vote for him, but they will never do so.

614. Mr. *Coffey.*] Where have you been for the last week?—At my own place.

615. Have you taken a ramble in the country?—No, I have been sleeping at my own house, where I have lived for the last 12 or 13 years.

616. Have you been at home to visitors for the last week?—I was.

617. Were you at home every day?—I was.

Robert M'Guinness, Examined by Mr. *M'Donogh*.

R. M'Guinness.

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618. ARE you a Freeman of Dublin?—I am.
619. Where do you reside?—One hundred and seven Bride-street.
620. What is your business?—A Shoemaker.
621. Do you know John Lilley?—I do.
622. Is he the president of the Ross-lane Society?—I am not a member of it.
623. Did you see Lilley about the time of the election?—I did, on the day of polling.
624. Did he say anything to you in reference to your vote, and a sum of money?—It was a promise, but I never got it.
625. What was the promise made?—There was a sum of money to be given to other men who would vote; but I never got anything.
626. How much did Lilley promise to give?—Something about 3 *l.* was to be given.
627. *Committee.*] What did Lilley say to you on the subject?—There was a roomfull there at the time.
628. What did he say to the roomfull?—They were all anxious to know whether they would get any money or not; and he told them he would see them rectified.
629. *Chairman.*] When was this?—At a meeting after the election.
630. Mr. *M'Donogh.*] I am asking about his conversation on the polling day: how much did he promise you then?—There was to be 3 *l.* given.
631. What did he say to you?—I asked him if I should get anything for my vote, and he told me I would get 3 *l.*
632. For whom did you vote?—For Grogan and Vance.
633. When was this meeting when the room was full; how soon after the election?—About a week or a fortnight after.
634. Where was that meeting held?—In Ross-lane.
635. On what day of the week was it?—I could not be positive.
636. Was Mr. Lilley in the chair?—I cannot say; there were so many at the head of the table that I could not say whether he was in the chair.
637. Did he address the meeting aloud?—He did, and several others spoke too.
638. What did he say with reference to money?—He said that every man should be satisfied.
639. Did he say when they should be satisfied?—On or about the 30th May; there were so many annoying him at the time that he could not but say something to keep their tongues down.
640. What were the people saying to him when he said this?—They were asking for money.
641. What did they ask for the money for?—I suppose it was for their vote.
642. Was it about the election he was talking?—It was.
643. Did you see Mr. Patrickson Pike there?—I do not know such a person.
644. Did Mr. Lilley say anything in reference to another gentleman, and in relation to the payment of money?—I did not hear anything about anyone else; I was only accidentally there; I am not a member.
645. Where did this meeting take place?—At the society's rooms.
646. *Chairman.*] You went there though you were not a member?—Yes; I walked in, the business of the society was over, and he was addressing the meeting.
647. Were there 100 persons present?—No.
648. Were there 20?—More than 20.
649. You are not a member of the society, but you went in there?—Yes; there were several went in besides me.
650. Mr. *M'Donogh.*] Have you been paid your 3 *l.*?—No; I never received a penny.
651. Have you made application to Mr. Lilley for it?—I have not.
652. Was it in reference to the 3 *l.* that you went to the meeting?—I was passing down Ross-lane at the time, and I went in to listen if I could hear anything about it.

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Cross-examined by Mr. *O'Malley.*

653. Where did you come from to give evidence here?—I came from Dublin.

654. What time did you arrive?—About 12 o'clock in the day.

655. Where did you go to?—I was shown where I was to stop for the night.

656. Who brought you here?—One of the men who came with me; I don't know his name.

657. Was he a gentleman?—I took him to be one.

658. Where did he take you to?—To an hotel, called the King's Arms.

659. Where?—In London; not very far from this place.

660. Did he give your breakfast?—No; I paid for my breakfast myself. I could not come quicker than the train brought me; he told me in Dublin I was to be here by 11 o'clock; I said, I could not come here till I was cleaned.

661. Did the gentleman go to look for you?—He did in my absence. I went to get shaved.

662. Did you go to a public-house?—No.

663. Have you taken nothing but coffee this morning?—I took a glass of ale when I came to town.

664. Who was with you?—No one.

665. How did you find your way about London?—Any one with a tongue in their head can inquire where they are going.

666. You found your way to these rooms by yourself?—I did.

667. You swear that?—I do.

668. What did you inquire for?—I first inquired for a hairdresser's shop, and then I saw a public-house, where I got a little refreshment, and when I came back to the place I had left I was told there were people looking for me.

669. What did you take besides the beer?—Nothing else.

670. Were you examined in Dublin?—I was.

671. Who by?—Mr. Kernan or Mr. Tracy.

672. Do you know Cruikshank?—I do not.

673. Not a man in your own trade?—I do not know any man of that name in Dublin.

674. Who took you to Mr. Tracy?—Mr. Tracy sent for me.

675. Do you know the man he sent for you?—I do not know him.

676. When was it?—Some day this week; I think it was Wednesday; I will not be positive.

677. When was it you made the declaration before the magistrate?—I do not know whether it was Wednesday or Tuesday.

678. Did Mr. Tracy take you to the magistrate?—Not himself, one of his clerks.

679. Who was the magistrate?—I think it was Mr. Farrell, the late Lord Mayor.

680. Where did you see Mr. Tracy?—At his own office.

681. Where is that?—In Dominick-street.

682. Why were you to make this declaration?—I cannot tell.

683. You did not ask him why you were to go before a magistrate—I did not ask him.

684. Did he tell you why?—He said something about it, but I cannot draw to mind what it was.

685. You do not recollect?—I do not at present.

686. Though it was only last Tuesday?—I cannot say what he said now.

687. Did he pay you anything?—He gave me a return ticket, and what I was to leave with my family at home.

688. What did he give you to leave with your family?—Two pounds.

689. Did he tell you what more you would get?—No; he did not.

690. Did he give you anything when you signed the declaration?—Nothing whatever.

691. How long were you before the magistrate?—It all passed in about an hour.

692. Where did you find the magistrate?—In his shop.

693. Will you swear you do not recollect what Mr. Tracy said to you?—All I recollect his saying was, whether I would make a declaration, something like that; he asked me what I should be able to make a declaration to, and I said something I have been after telling you did transpire.

694. What

694. What did he say before you told him this?—I cannot call to mind.
695. But as near as you can?—I cannot tell rightly what he said.
696. Are you fond of coffee?—No; I am not.
697. You like something stronger?—I would.
698. Did you get anything stronger that day?—I did not; I am more temperate than many men who have pledged themselves; I am no drunkard; I would not give 2 *d.* for all the drink in London at this moment.
699. You like the whisky better?—No; I would rather keep myself sober.
700. *Committee.*] Who were present at this meeting of the society when Lilley spoke to them?—There were many who I was not acquainted with; I always keep to myself and never associate with any one but my own family.
701. How did you know there was a meeting going on there?—Seeing the hall door open, and the lamp lighted, I suspected there was a meeting there, and I went up.
702. Were you ever there before?—Yes; at public meetings.
703. Had anyone who was not a member a right to go in?—They might go as far as the door; the room door was open, and I stood at the door.
704. You stood at the door?—Not being a member I did not wish to push myself in.
705. Were there public meetings held there sometimes?—Yes; a couple of nights before the election; many persons who were householders, not freemen, could go in at that time.
706. Was there no one at the door to stop you?—No.
707. Did the people present see you come in?—Yes.
708. Did they ask you who you were?—N
709. They made no inquiry of you?—No.
710. Was no notice taken of your entering the room?—No; I did not go inside.
711. No notice was taken of your being at the door?—No.
712. They were discussing the payment they were to receive for voting, and they took no notice of your appearing there?—No; they did not.
713. They did not ask you to go out, or why you were there?—They did not ask me what business I had there.

R. M'Guinness.
31 July 1857.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 1° die Augusti, 1857.

THOMAS EMERSON HEADLAM, Esq., IN THE CHAIR.

John Hamilton, sworn; Examined by Mr. *M'Donogh.*

714. WHERE do you reside?—In Brereton-street, in the liberty of Dublin.
715. Are you a Freeman of Dublin?—I am.
716. Do you remember some few days before the election having met a person of the name of Frewen?—I do; I went to his house; I went to Frewen and asked him could he do anything for me.
717. Was this the Thursday before the election?—Yes.
718. Had you known Frewen for some time before?—Yes.
719. Did you receive relief from any dispensary?—I did.
720. What dispensary was that?—Meath-street.
721. Had you known Frewen at the dispensary?—Yes, certainly.
722. Did he ever assist you in getting relief from the dispensary?—He did.
723. Had Frewen any situation at the dispensary?—He had; he issued tickets.

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724. Do you mean tickets for soup?—Yes; then he called on me on the Saturday morning, and he called out to me, and he said, "Hamilton, I have got it in my pocket."

725. Had you any conversation with him in reference to money?—Certainly I had.

726. When was that?—On the Saturday morning, about 12 o'clock.

727. What was the conversation with him about the money?—I would not like to vote without getting it; I always had been in the habit of getting it.

728. *Committee.*] Was that in answer to a question, or was it your own remark?—A poor man like me could not do it.

729. Did you say that to him or not?—I did.

730. Was it in answer to a question of his?—He said, if any man in Dublin gets anything for it I think I can do it.

731. Mr. *M'Donogh.*] Tell us how the conversation between you and Frewen about the money began?—Why, I looked for it myself.

732. What did you say to him about it?—I told him, could he do anything for me; if not, I would not vote.

733. What did Frewen say to that?—He took me out, and said, if any man could do it he could do it.

734. Was any sum of money mentioned on that occasion?—No; it would be 2 *l.* or 3 *l.*

735. Was anything said about the amount?—No; that is what I had before; I understood it was 5 *l.*

736. Nothing was said?—No.

737. Did anything else occur between you in that conversation?—No.

738. Did you attend on the polling-day?—I did.

739. Did you go to the polling-place in Green-street?—I did.

740. Did you see Frewen there?—I did.

741. Did Frewen say anything to you when you saw him in Green-street?—Yes.

742. What did he say?—He said, "All as one; there was no fear;" and then he put up his hand—his five fingers.

743. Did you thereupon proceed to vote?—I would have polled for Reynolds and Brady only for coming across him.

744. For whom did you vote?—I voted for Vance and Grogan; he did not recompense me for what I was to get.

745. Now, about his striking his pocket; when did that occur?—That was on Saturday, about 12 o'clock.

746. The Saturday before the election?—Yes.

747. Describe how he did that, and what he did?—He put his hand on his breast, and put his head out of the dispensary window, where he issues the soup tickets, and he said, "Hamilton, I have it here; there was no fear;" and I was to come on the Monday morning; he came to my own place afterwards.

748. When?—On the Monday morning.

749. After you had voted, did Frewen give you any sum of money?—Very little.

750. How much?—Five shillings.

751. Did he say anything when he gave you the 5 *s.*?—He went home, and I went home; I went to him the next day.

752. When giving you the 5 *s.*, did he make any observation?—He said he had no more about him.

753. What day was this when he gave you the 5 *s.*?—On the Monday after the polling.

754. Did you call on him the next day?—I did, at his own place.

755. A place different from the dispensary?—Yes.

756. Where does he live?—Near St. Patrick's Church.

757. In one of the closes there?—Yes.

758. You went there to him?—I did.

759. What time of the day was it?—In the morning.

760. Tell us what conversation passed between you?—He flew at me when I asked him for the money, and then I walked away.

761. Did the conversation begin by your asking him for the money?—No.

762. Did you ask him for the money, or did he speak to you?—I went to ask him.

763. What

763. What did you say?—I asked him, could he do anything for me as to what he had promised me, when he had no more money in his pocket.

764. What did he say to that?—He flew at me, and I walked away.

765. He was in a passion?—I suppose so.

766. Did he ever say when he would give you the rest?—No.

767. Did you ever have any conversation with him on the subject?—Not since.

768. Did you ever meet Frewen since the day after the election?—I have passed him, but not to speak to him.

769. Do you know a gentleman named Lilley?—No.

770. Did Frewen ever mention the name of Lilley to you?—No.

Cross-examined by Mr. *O'Malley.*

771. When did you come over to London?—Monday or Tuesday.

772. When did you get to London?—The day before yesterday; late at night.

773. You are an infirm man; who brought you over?—The gentleman is outside—Mr. Mackay.

774. Where have you been since you came over?—I was in the house over the way.

775. Who has been taking care of you there?—Mr. Mackay.

776. What did you get for coming over?—I got nothing for coming over, only my passage, and all was paid, and I got a ticket to return home.

777. Did they not give you anything to eat?—Yes, they did.

778. Was all your eating paid for?—I suppose so; I did not pay it myself.

779. Nor for your lodging?—No.

780. Did they not give you anything to come over?—No.

781. Have you a wife?—No.

782. Have you children?—I have.

783. Did they not give you anything to leave for your children?—My wife is dead; I have one son; he is living at a place called Coventry.

784. What are you to get?—I cannot say what I am to get.

785. What did they tell you?—They never told me.

786. Who first spoke to you about coming over here?—I went before the committee.

787. Where was that?—On one side of College-green.

788. Who did you see there?—I saw Mr. Reynolds and Mr. Brady; they asked me the questions you have been asking me now.

789. Who brought you to them?—One Mr. Flanagan bade me go.

790. Who is Mr. Flanagan?—He keeps a grocer's shop in the Coombe.

791. How came you to go to him?—A man came for me.

792. Who was he?—His name is Doyle; and one Winders.

793. Do you know a man of the name of Cruikshank, a shoemaker?—No.

794. The first man who came to you was Winders?—Yes, Doyle and Winders together.

795. Did they tell you what business you had with Flanagan?—Flanagan sent me off to the committee.

796. Did they tell you what you were going to Flanagan's for?—No.

797. You did not know what you were wanted for?—Yes; I knew about this election, to be sure.

798. How came Flanagan to know what had passed between you and this man?—Every one knew about it.

799. Every one knew what?—I have told you all about it.

800. What did every one know?—Every one knew that I was taken in.

801. Were you going about saying you had been taken in; that you expected money, and you had got none?—That must be it.

802. *Chairman.*] How were you taken in?—What I expected from Frewen I did not get.

803. How much did you expect from Frewen?—I expected what was going; I could not tell what.

804. Mr. *O'Malley.*] How long have you been a freeman?—My father was a freeman before I was born; I am since O'Connell came in.

805. Why were you so angry now; used you to be paid formerly?—When there was money going I had my share of it.

 806. Were

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806. Were they not very angry because there was no money going this time?—There was some.

807. Do you swear that you know of any money going; upon your oath do you know that?—What right, then, had he to go and tap his pocket, and say this to me.

808. Were you not and others angry because there was no money?—To be sure we were; why would I not be?

809. Did not you think Vance and Grogan were very shabby fellows at the last election?—It was not them, it was their agents, I suppose.

810. Were not the agents shabby fellows who did not give it?—What else were they?

811. How did you vote at the election before?—I voted for Mr. Reynolds the last time, and gave him a plumper.

812. In 1852?—Yes.

813. Did you get money then?—I never got a halfpenny; I got a good ducking.

814. Why were you so angry with Vance and Grogan this time if you got nothing before?—I have no more to say.

815. Frewen was a man who often gave you relief?—He did; it was nothing out of his pocket.

816. What is Frewen's Christian name?—I do not know.

817. Did he not often give you relief?—I got no relief from him all the summer.

818. Who did you get relief from all the summer?—I got a ticket once a week.

819. From whom?—From Frewen.

820. Has he given you a ticket once a week through the summer?—I have never troubled him since the election was over.

821. How have you lived since then?—Bad enough.

822. Who has given you relief?—I have had odd friends here and there.

823. Have you been living upon relief from those friends ever since?—I have worked a little at times; I cannot do much work.

824. At what work?—Making stockings.

825. Have you made any stockings since the last election?—I have.

826. Has not Flanagan given you relief?—On my oath I never got a shilling in my life from him.

827. Who has given you relief, if he has not?—My employer gave me relief.

828. Who was your employer?—Mr. M'Grayle, of Church-street.

829. Who else has given you relief?—Many have given me relief.

830. Tell me some of them?—A man of the name of Lars was very good to me.

831. What is he?—He keeps a public-house on one side of the Park.

832. Has Mr. Mackay given you any relief?—No.

833. Nor Winders?—No.

834. You have been living upon charity since that time?—Only for it I could not live at all.

835. Have you not had a regular allowance since the election?—I have got 4 *s.* or 5 *s.* a week.

836. Who gave it you?—Mr. M'Grayle gave it me.

837. Did he give you 4 *s.* or 5 *s.* a week for your labour?—Yes, he did.

838. On your oath have you earned 4 *s.* or 5 *s.* a week since the election?—Yes, and more.

839. Will you swear you have earned more than 4 *s.* or 5 *s.* a week since the election?—Yes, and more too.

840. What was the more?—Eight or nine shillings.

841. What do you mean by saying you could not live without charity?—If you take firing, the room, and candle, and those things out of that, you have not 3 *s.* a week.

842. Do you mean to say you could live without charity?—Some weeks it would be under 4 *s.* or 5 *s.*, and some 8 *s.* or 9 *s.*; I do not say 8 *s.* every week.

843. Is not Mr. M'Grayle a publican?—No.

844. Where does he live?—He is a manufacturer in Church-street.

845. Frewen, you say, has given you nothing since the election?—I have not troubled him since.

846. You

846. You used to trouble him before the election?—I did.

847. How often?—Once a week.

848. How much did he give you?—He gave me a ticket.

849. What was it for?—To get what was allowed from the dispensary for sick people.

850. Was it physic or food?—They called it soup; it was only salt and water.

851. How many weeks did you go on taking this salt and water?—I was paying a penny a week to a teetotal society.

852. Had Mr. Frewen a teetotal society?—He had.

853. When did he give you this 5 *s.* you spoke of?—Going out of the court.

854. Was it inside or outside the court?—Sure it must be inside.

855. Did he give it you as you were coming out of the court-house?—I followed him.

856. Who was there?—It was so crowded, you could not stir.

857. It was quite a public place?—Yes.

858 What did he say?—He pulled it out, and gave it me.

859. Where from?—He had it in his hand.

860. Did he pull it out of his pocket, as you first said, or had he it in his hand?—He had it in his hand; he was 10 minutes before he gave it to me.

861. Was he talking to you?—He said he had no more about him.

862. Was he talking to you for 10 minutes?—No; I followed him for it, and then he stopped for 10 minutes before he gave it to me.

863. Were you following him through the crowd?—To be sure, as well as I could.

864. How far had you followed him from the court-house?—Up and down.

865. What were you saying to him?—He walked pretty smart.

866. Smarter than you could?—Yes.

867. What did you say to him when you were following him through the crowd?—I was not saying anything to him.

868. Had you asked him for anything?—He told me to call on him the next day.

869. Did you not say something to him before he gave you the 5 *s.*?—I asked him for the money he had promised me.

870. Did you ask him that in the middle of the crowd?—When I got him outside.

871. The crowd was outside?—Inside and outside.

872. After waiting 10 minutes, he said he had no more, and gave you the 5 *s.*; is that it?—It is.

873. What did he pay you; what coin was it?—It was small silver; two two-and-sixpences.

874. Do you mean two halfcrowns?—Exactly so.

Re-examined by Mr. *M'Donogh.*

875. DO you know a man of the name of Doyle?—Yes.

876. Was he present when you voted?—Yes.

877. *Chairman.*] When you went to Frewen's after the election, you say he got in a passion with you?—He did.

878. What did he say to you?—He said, "Why did you not come when I wanted you to come? You are not entitled to anything." I said, "I would not go without what you promised me at the dispensary." Then he said, "You are not entitled to anything," and flew at me.

879. When he flew at you, did he say anything more?—No. I walked off myself; there was no use in arguing with him.

880. *Committee.*] Are you a Protestant freeman?—I am.

881. Do you belong to the Ross-lane Society?—No.

882. Have you any children in Dublin?—No.

883. No one but yourself?—No; my wife has been dead 26 years.

884. You did not ask for anything before you came over?—No.

885. You lived on these stockings you sold?—When I was at home I always supported myself, and very poor support too.

886. When did you make your last pair of stockings?—About the beginning of the week; on Monday.

887. How many pair a week do you make?—Very little; I am not able.

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888. For the last three months how many pair have you made?—I could not tell.

889. About how many, a dozen?—A little more.

890. How many more?—About three dozen.

891. Do you find the materials?—No; Mr. M'Grayle finds me the stuff.

892. How much a pair does he pay you?—He pays me at the rate of 3 *s.* 8 *d.* a dozen.

893. How long after the election was it that you went before the committee?—I cannot say.

894. Was it a month?—I dare say it was.

895. Was it a fortnight?—It was more than a fortnight.

896. Was it the committee-room in Dame-street you went to?—On one side of Dame-street.

897. How long after the election were those rooms kept open?—I do not know.

898. When did Mr. Lars begin to give you relief?—Ever so little was a help.

899. When did he first give you relief?—About three weeks ago.

900. Is that the first time?—I got it before that.

901. How long before?—Three or four years.

902. *Chairman.*] Did you get anything more than this 5 *s.* for your vote?—No.

903. *Committee.*] Has any one given you relief these last three months who did not give it you before?—No.

904. You have known Mr. Lars these four years?—He allows me a little trifle every week, not much; a penny or twopence is not much.

905. Has any person given you relief but Lars during these last two months?—If they have they are strangers.

906. You do not know who they are?—No. I go to their places.

907. Give us the names of people who have so given you relief?—There are many of them, but I do not know their names.

908. Can you give the names of any one who has given you relief for these two months except Lars, friends or strangers?—There is one, Mr. Rooney, who lives at Castleknock, who gives me a dinner once a week.

909. Any one else?—And a Mr. Gardner is very good to me.

910. In point of fact, you live by begging?—No, I do not; I am well acquainted with them; I used to work for them.

911. You live on their charity?—Yes, I do.

912. You made these stockings for Mr. M'Grayle, and he has paid you 4 *s.* or 5 *s.* a week since the election?—He has paid me 3 *s.* 8 *d.* a dozen.

913. You said you had earned 4 *s.* or 5 *s.* a week since the election, did you not?—Not from charity.

914. You have said, since the election you earned 4 *s.* or 5 *s.* a week making stockings; now you have just said you made only three dozen, which would be 11 *s.*; is that all you have earned in 13 weeks?—I must have earned more than that; I can do a dozen and a half a week if nothing happen to me.

915. Does this Mr. Frewen have anything to do with the dispensary?—Yes, he does; he has a call at it.

916. Mr. *M'Donogh.*] You say that he lives in some close, near St. Patrick's Church?—Yes, near Bride-street.

917. Where is the dispensary situated?—At the upper end of Meath-street, near Thomas-street.

918. *Committee.*] Did you have any printed card given you at the election, or any list of the polling-booths?—No.

Mr. *Benjamin Rogers*, sworn; and Examined by Mr. *Phinn.*

Mr. *B. Rogers.*

919. DO you live in Chancery-lane, Dublin?—Yes.

920. How long have you lived there?—Twelve months altogether.

921. Is that near Ross-lane?—Yes; Ross-lane is on the opposite side.

922. Are you a freeman?—Yes.

923. For some time previous to the election had you been in bad circumstances?—Yes: I had been out of employ.

924. The consequence was you had not many clothes?—No, I had not.

925. Where

925. Where were your clothes and your shirts?—In the pawnbroker's.

926. And your boots, and most of your articles of clothing?—Yes.

927. What are you by trade?—A letter-press printer.

928. That trade had been bad for some time?—It had.

929. Previous to the election, did any one say anything to you about your vote?—No, not to my knowledge.

930. Do you know a man of the name of Downes?—There is a gentleman of that name in Bishop-street, a printer.

931. What is his Christian name?—I cannot say.

932. Did you see him shortly before the election?—No, I did not.

933. Not at all?—No.

934. Do you know a person named Bush?—I have seen him; and that man called on me.

935. When?—On the day of election.

936. Had you then voted?—No, I could not go out to vote.

937. Why not?—For the want of clothes.

938. What time did Bush call upon you?—Between eleven and one.

939. Did Bush say anything to you?—He brought me up a pair of trousers and an old neck tie, and an old hat.

940. Did he say anything to you?—I do not recollect his saying anything.

941. Was anything said about your vote?—There was not anything particular.

942. Tell us what passed?—I cannot recollect anything that was said.

943. How came he to bring the trousers and necktie?—A man whom I lodged with conducted the committee-room.

944. What is his name?—John Reed.

945. Had you sent John Reed up to the committee-room?—Yes, he went up.

946. To whose committee-room?—To Grogan and Vance's.

947. How long before you saw Bush had you sent Reed there?—Reed was away, I dare say, two or three hours, and he brought this man Bush and another man, whose name I do not know, along with him.

948. Should you know that man if you saw him again?—I do not know.

949. Did Reed come back with Bush and the other man?—They came back together.

950. Did they say anything to you?—They asked me for some papers, and there were a few papers introduced, and they returned them back to me.

951. What papers were they?—Pawnbrokers' duplicates.

952. Did you give them the papers?—The woman I lodged with did.

953. What was her name?—Mrs. Reed; she gave them the papers, and they returned all of them but the papers relating to the shirt and the pair of boots.

954. Before they asked you for this, was anything said about voting?—No, I could not go to vote, unless I got some clothes.

955. Did you say so to them?—I did not.

956. Did you say so to Reed?—I did not.

957. Had you given Reed any directions before you went to the committee-room?—No.

958. Had you given him any message?—No.

959. What was he sent there for?—He went up and made a complaint himself about my having a vote, and that I could not go unless I had something to go in.

960. When these persons came back, did they say anything about your going to vote?—No, they did not.

961. Did nothing pass between you and other persons?—No.

962. How came they to ask for those papers?—When they came and saw the condition I was in, Mrs. Reed introduced the papers to them.

963. What passed?—Nothing in particular; Mrs. Reed introduced the pawnbroker's tickets.

964. What was said by her?—There was nothing said.

965. She brought the pawnbroker's tickets?—She introduced the pawnbroker's tickets to Bush and the other men.

966 Did Bush take the pawnbroker's tickets with regard to the shirt and the boots?—Yes.

967. Did Bush leave the room for a time?—Yes, and those other men with him.

968. How long afterwards did they come back?—I dare say about an hour.

969. Were they together when they came back?—Yes.

 970. Did

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970. Did they bring anything with them?—They brought the shirt and the boots.

971. Was that the shirt and the boots you had pledged?—Yes.

972. When they gave you the shirt and the boots, what did you do?—I dressed myself; I got a coat.

973. Where did you get the coat from?—The coat was brought to me from a man of the name of Downes.

974. Who brought it to you?—A man of the name of Reed.

975. Who is Downes?—A printer in Bishop-street.

976. Had you known him before?—I never worked for him.

977. Did you put on the coat?—Yes.

978. Had you any coat in pawn?—I had an old coat.

979. This was not the old coat you had in pawn?—No, it was the coat that Downes sent me.

980. Had you any trousers?—Yes; Bush brought me a pair of trousers.

981. You got trousers, boots, shirt, and coat, and a neck-tie?—Yes.

982. When you were dressed, what passed; was anything said?—I went down, and was taken in a car to poll, and brought back again.

983. Did they give you a card?—I was introduced by Bush to a covered car.

984. Did they give you a voting card?—No, they did not.

985. Where did you go to?—I went to Palace-street.

986. What for?—To vote.

987. Did you go to any committee-room or tally-room on the way?—No.

988. Who did you vote for?—For Vance and Grogan.

989. While you were in the car was anything said about voting?—No, not a word.

990. Have you got the coat still?—No.

991. Nor the trousers?—No.

992. Where are they?—I gave them away.

993. Who to?—I gave the trousers to Reed, and Mrs. Reed disposed of the shirt.

994. What for?—To get money.

995. Did you owe her any money?—No.

996. Did she give you the money?—She did not; all that I heard was, that she got 1 *s.* 4 *d.* for the coat; it was not much good.

997. Did you owe her any money for rent at that time?—I did not.

998. What did she do with the 1 *s.* 4 *d.* at that time?—I cannot say.

999. Have you got the boots still?—Yes.

1000. And the shirt?—No.

1001. What has become of the shirt?—I do not know.

1002. How long did you keep it after the election?—Not long.

1003. How long?—The next day.

1004. What did you do with it then?—I believe Mrs. Reed pawned it.

1005. How much for?—I do not know.

1006. Did you make her a present of the shirt?—She pawned it with my consent, of course.

1007. Did she tell you what she pawned it for?—A shilling.

1008. Did you have a drop of whiskey over it?—No.

1009. What became of the shilling?—I do not know; I did not ask her.

1010. Are you lodging with her still?—I am.

1011. Have you paid any rent lately?—I do not pay anything; I am a single man, and I always pay her 10 *s.* a week.

1012. But at this time you pawned your shirt?—I had no employment at that time; I was idle.

1013. You were lying in bed at that time, were you not?—Yes; when I was in employment I paid her.

1014. And when you were not, it ran on?—Yes; she did not look to me for any rent when I was out of employment.

1015. Where did you get your food?—She made it out for me as well as she could.

1016. And then you gave her all those things?—Yes.

1017. And that went for food, to some extent?—Yes.

1018. You were lying in bed while she pledged your shirt?—No, I was not.

1019. Did

1019. Did you go out after the election, or did you stay at home?—I went out to work.

1020. Before or after she had pledged your clothes?—After.

1021. Where did you get any clothes from; she had pledged your coat and your shirt, and you had given her your trousers?—I had an old coat.

1022. Had you any shirt?—I got a shirt; I could not go to work without something.

1023. How did you get that?—She managed to get them out.

1024. She pledged this shirt, and got you another, is that so?—Yes.

1025. When you went to poll, who was with you?—Bush and this strange man.

1026. Did Reed go with you to the poll in this covered car?—No, he did not.

1027. Do you know a person of the name of Lilley?—Yes.

1028. Have you seen him since the election?—Yes.

1029. How often?—Several times.

1030. When was the first time that you saw him after the election?—A few days after, less than a fortnight.

1031. Where did you see him?—In his own house.

1032. Had you known him before the election?—I had seen him.

1033. Had you ever spoken to him before?—Yes.

1034. Did you go to his house?—I did.

1035. How came you to go there?—I thought he might have heard of some news for me.

1036. What sort of news?—In regard to getting some money.

1037. What for?—The same as they would; I thought I might have got something for my vote.

1038. When did you first see Lilley after the election?—A few days after.

1039. At his own house?—Yes.

1040. Was any one present when you saw him?—His own family.

1041. His wife?—I do not know whether he has got a wife or not.

1042. Was it in the morning or evening?—About two o'clock in the day.

1043. What did you say to him?—I saw him coming out of Molyneux Church, close to the asylum.

1044. When you saw him come out of there, did you go up and speak to him?—I did.

1045. Was that before you went to his house?—Yes.

1046. What passed between you and Lilley?

Mr. *O'Malley* is heard to address the Committee in objecting to the question being put.

Mr. *M'Donogh* in support of the question.

Chairman.] The Committee think that you are entitled to prove a corrupt promise, after the election, in respect of a voter having voted.

1047. Mr. *Phinn.*] When you saw Mr. Lilley in the street coming from the church, what did you say to him?—I waited until he went into his own house, or through into the hall-door.

1048. When you got there what did you say to him?—I asked him, "Could you let me have a little money?".

1049. What did he say?—He put his hand in his pocket, and gave me a shilling.

1050. Did he say anything when he gave you the shilling?—No, he did not; he went into his house, and I went away.

1051. Did you say anything to him when he gave you the shilling?—I asked him, would I look in in a day or two, and he said "Yes."

1052. Can you give us the exact words that you used?—I told him I was very badly off, and he put his hand in his pocket, and gave me a shilling.

1053. What did you say to him, what words did you use; suppose I were Mr. Lilley, what did you say to him?—I went up to him and spoke to him, told him I was badly off; could he oblige me.

1054. Did he know you before?—Yes.

1055. How?—He has seen me in the street.

1056. Did you mention your name?—Yes.

1057. What did you say?—I told him my name.

1058. What did you say your name was?—Benjamin Rogers.

 1059. What

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1059. What more?—He said, if he heard of anything he would let me know.

1060. You do not give us all; give us the scene just as it passed. Did you say, "Mr. Lilley, my name is Benjamin Rogers"?—He knew that previously; I thought I might get something from him and he gave me a shilling.

1061. You said you would call again?—He said, "You may do so, if you like."

1062. Did you call again?—I did repeatedly, but I never got anything but that shilling.

1063. How soon after that time did you call again?—That was on the Sunday.

1064. When was the next time you called?—On the Monday or Tuesday.

1065. Where did you call?—I called at his house.

1066. Did you see him?—I do not think I did; I called frequently at his house, but I could not see him.

1067. When did you see him again after he gave you the shilling?—I do not think I saw him for a week.

1068. In that interval how often had you called?—I called very often, backwards and forwards.

1069. Do you recollect whether it was a week or not when you called and saw him?—I cannot say.

1070. What took place between you when you saw him the second time?—He spoke to me about joining the society in Ross-lane, and said, "If there is anything to be had, it would come through them, and them alone."

1071. What society was this?—A society of freemen, that is held in Ross-lane; "if there is anything to occur, it will be through them."

1072. Which word did he use?—I cannot say now.

1073. Are you giving us the substance of what he said?—The meaning was, that if there was any money to be given, it would be through the society.

1074. Money to be given for what?—For voting, I suppose.

1075. Did you get anything from him that time?—I did not.

1076. Did you see him again?—I did; I saw him in the society's rooms.

1077. Did you afterwards join the society?—I did not.

1078. Did you go to the rooms?—I did.

1079. How long after the election was this?—I dare say a few days.

1080. How long was it after he had told you to join the society?—A few days.

1081. Do you remember the day of the week?—I believe it was on the Monday.

1082. How many people did you find there?—A great number.

1083. Did you see Mr. Lilley there?—He was in the chair; I did not stop.

1084. Did you hear Mr. Lilley say anything?—No; I got as far as the door, and went down stairs again.

1085. Did you ever go to the Ross-lane meetings?—I did.

1086. How long after the first time?—A few days afterwards; I believe they met once a week.

1087. In the interval of those two occasions, did you see Mr. Lilley?—I do not think I did.

1088. Can you recollect?—I do not think I did.

1089. You went a second time to Ross-lane?—Yes; it was in the night time.

1090. Do you know what day it was?—It was on the Monday.

1091. Were there many people there?—It was full.

1092. Did you see Mr. Lilley there?—Not the second time; he was not there.

1093. Did you go a third time?—I did.

1094. Between the second and third times, did you see Mr. Lilley?—I did not.

1095. The third time that you went to Ross-lane, did you see Mr. Lilley?—I did not.

1096. Did you go again?—I do not think I went more than three times.

1097. Are you sure that you heard him say nothing the first time?—I did not go into the room; I went as far as the door, and went down stairs again.

1098. Since you went to Ross-lane, have you applied to Mr. Lilley for money?—Yes, the time he gave me the one shilling.

1099. You went to Ross-lane, and saw Mr. Lilley since then; have you seen him at his own house?—I have not; I went to his house before; I never could see him.

1100. You

1100. You have not been able to see him since?—No.

1101. When he told you to go to Ross-lane, was anything said about being a member?—He advised me to join the society.

1102. Was anything said about the expenses of joining?—He said he would pay the expenses if I was to join.

Mr. *O'Malley.*] We have nothing to ask him.

1103. *Committee.*] You have not applied to him for money since?—No.

1104. He advised you to join the society?—Yes.

1105. To join it as a benefit society?—Yes; there is a loan fund belonging to it, by which a man gets a loan of 10 *s.*

1106. Did he give it you as a piece of advice for your benefit?—I thought so.

1107. You thought that was his meaning; that it was to your benefit to participate in the loan?—Yes; he thought it would be a benefit if I joined the society; he belonged to it himself.

1108. How was it you did not go into the room when you went to the door?—One room runs into the other, and the other room was full, and I looked in, and came down stairs.

1109. Why did you not go in?—I was not a member; no persons are admitted but members.

1110. Was there some person keeping the door?—The man who has the house minds the door.

1111. Was any one at the door who asked if you were a member?—No one asked me any question.

1112. Was there any one to prevent strangers going in?—No; I was not prevented.

1113. Then why did you not go in?—I saw it was so full, I did not mind stopping.

1114. Was it full up to the door that you could not get in?—It was very nearly.

1115. You heard that, not being a member, you could not get in?—I heard so.

1116. Were you told that at the door?—I heard that from some one in the empty room.

1117. How came they to say that to you?—They did not say it to me; but a man named Reed was with me; he was going in, and somebody said, "No one is admitted there but members."

1118. Was Reed a member?—No.

1119. Then you went out?—Yes.

1120. And Reed also?—Yes; after he had a few words with a person in the room.

1121. Was that person one of the members?—Yes, I believe so.

1122. Who told you to come over here?—I was summoned to attend.

1123. You were in bad circumstances some few months ago?—I was very bad.

1124. Your trade has been better since?—Yes; I am working at Mr. Marlow's, on Merchant-quay.

1125. What are you earning a week now?—Twelve shillings, 15 *s.* and 18 *s.* a week; some weeks better than others.

1126. How long have you been in regular employment?—I have been off and on at the one establishment these two years.

1127. But the last time we heard of you, you were naked, how long is it since you got those clothes which you have got on?—About three months.

1128. When we last heard of you, you were in bed, and you were obliged to send for a coat, hat, and a pair of boots; did you get employment directly after this?—Yes.

1129. Your trade has been more flourishing since?—Yes.

1130. So as to enable you to come as respectably dressed as you are now?—Yes.

1131. You bought those clothes out of your earnings?—Yes.

1132. Who gave you that good hat?—It is a second-hand hat.

1133. Who gave it you?—I bought it.

1134. And the coat?—Yes.

1135. And the trousers, are not they trousers which Bush gave you?—No.

1136. You got well directly after the election?—Yes.

1137. And you got work a fortnight after, or when?—I dare say it was three weeks.

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1138. You were naked, and they clothed you; hungry, and they took you in. When did you get that coat?—This coat I bought.

1139. How long has it been in wear?—Some three or four months.

1140. The neckcloth that you have, did you have that before the coat, or afterwards?—I have not had this long.

1141. The trousers had you before the coat?—I have not had the trousers long either.

1142. About four months?—Yes.

1143. But about four months ago your wardrobe, we understand, was cleaned out altogether?—I was unemployed then.

1144. What did you do with the coat you had?—I pawned it.

1145. Was that the coat that was redeemed for you?—Yes.

1146. Mr. *Rodwell.*] Messrs. Marlow live at No. 10, Merchant's-quay?—They do.

1147. Are they supporters of Messrs. Reynolds and Brady?—I have heard so, but I never asked the question.

1148. *Committee.*] Do you work for them?—Yes.

1149. Was it Mr. Marlow who told you to come over here?—No, it was not.

1150. Who was it?—I do not know the gentleman's name who gave me the summons.

1151. Who first spoke to you about it?—I declare I cannot say.

1152. What was the name of the person you spoke to first about your evidence?—I do not know; I do not think I ever said I could give any evidence.

1153. You must have said so to some one that you could give evidence about this matter?—I did not; I did not think I should be summoned at all.

1154. You were very much astonished when you were?—I was.

1155. You have never said anything to any one about it?—No.

1156. Have you heard it talked of amongst your fellow workmen?—No.

1157. Who was the gentleman who gave you the summons?—I do not know his name.

1158. Is he some one in Dublin?—I saw him outside.

1159. That is the first you heard about it?—That is the first.

1160. You have not mentioned a word about it to anybody?—I had not.

1161. No one had ever mentioned a word about it to you?—No.

1162. *Chairman.*] What made them summon you here?—I do not know.

Alexander David Brown, sworn; Examined by Mr. *Coffey*.

A. D. Brown.

1163. ARE you a freeman of the city of Dublin?—Yes.

1164. Before you left Dublin where did you reside?—In Bolton-street.

1165. Do you recollect the last Dublin election?—I do.

1166. In the month of March?—Yes.

1167. Where were you a fortnight before the election?—I was in the North Dublin Union Workhouse.

1168. How long had you been an inmate of the workhouse before the election?—It would be difficult for me to say, for I am in the habit of going in and out occasionally.

1169. About how long?—About two or three months. I cannot be positive to the exact time.

1170. Were you there a month?—I cannot tell you exactly.

1171. Two months?—I have been discharged so often that I cannot tell exactly the period of time.

1172. Can you give the Committee no idea of it?—About three months, I should guess.

1173. You wear the clothes of that establishment?—Yes; you must do so there.

1174. Before these three months, had you been in and out for some time before?—I am very sorry to say I had.

1175. You were glad to get in there?—I was glad to get out too.

1176. When did you get out before the election?—When I heard there was to be a general election in Dublin, I wrote to College-green, and applied for this business in the way that I would at any other place, if I thought I could get employment.

1177. To whom did you apply?—I wrote to Mr. Ralph Cusack.

1178. Was

1178. Was he one of Grogan and Vance's committee?—Yes.

Mr. *Rodwell.*] He was their agent at the election.

1179. Mr. *Coffey.*] Has Mr. Cusack any official connexion with the poor-law establishment?—He is the chairman of the Board at present.

1180. What day previous to the election did you get out?—About a fortnight previous to the day of polling; I think I received the letter on the 14th of March.

1181. How did you provide yourself with clothes when you got out?—I had clothes of my own.

1182. Where did you get the clothes?—The first clothes I had were presented me by a friend.

1183. Sent to the workhouse?—Yes, not at all in connexion with the election business.

1184. Tell me the name of your friend who sent them?—His name was Martin.

1185. Did he bring you the clothes?—He brought them to me.

1186. He was the bearer of the clothes; who sent them to you?—He was the party who gave me the clothes; they belonged to himself; he had been my landlord before I went in there, and wished to benefit me, and get me out.

1187. Were you employed at the election?—I was.

1188. Did you vote at the election?—I did.

1189. Who is Mr. Martin?—Mr. Martin is now himself in the workhouse; he was a tobacconist by trade.

1190. When did he go into the workhouse?—About three weeks ago.

1191. Is he there still?—No; he left about a fortnight ago.

1192. For whom did you vote at the election?—For Grogan and Vance.

1193. About how much money did you get in all?—I should say for the fortnight something over 3 *l.*

1194. Through whom was that paid?—It was paid by Mr. Cusack.

1195. Did Mr. Cusack hand you the notes himself?—I think a gentleman gave me the change, and I signed the receipt for Mr. Cusack.

1196. What day was it when you gave the receipt?—It was on each Saturday that I gave the receipt; the poll was on the Monday.

1197. After the election had terminated, how much money did you get?—The last day's business I got 13 *s.* 10 *d.* for.

1198. *Chairman.*] Then you got 3 *l.* 13 *s.* 10 *d.*?—Not so much as that; the day's polling was 13 *s.* 10 *d.*, exclusive of the ordinary scrivener's work, at the rate of 6 *d.* per hour for a fortnight.

1199. Mr. *Coffey.*] What day did you come out of the workhouse?—On the 16th of March.

1200. And the election took place on the 30th?—Yes.

1201. At what rate were you paid?—About 6 *d.* per hour.

1202. You wrote to Mr. Cusack?—I did, to know if he could give me any employment in business of that description.

1203. Did you say anything in your letter of having a vote?—I did not; not a tittle.

1204. Did Mr. Cusack know you were a freeman of the city of Dublin?—I do not know what Mr. Cusack knew.

1205. Were you asked for your vote?—No; upon looking over the books that were given to me, I perceived that my name was in the town clerk's list, and I therefore knew that I was qualified.

1206. When you first wrote you did not know you were a voter?—I knew I was a freeman; but there have been so many changes in the law in respect to freemen, that I did not know I was on the roll.

1207. Did you vote at the last election?—No.

1208. When you applied for employment, you knew you were a freeman?—Yes; but I did not know that I was on the roll.

1209. Did you get any answer to your letter applying for employment?—On the Saturday night I received a letter requiring me to be at College-green on the following morning.

1210. Who was that letter from?—It was signed by George Keating.

1211. Have you that letter?—No.

1212. What have you done with it?—I really do not know what has become of it.

 1213. Did

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1213. Did that letter contain any directions for you?—Yes; to come over to College-green, and there was some business for me to do.

1214. Where were you directed to go in College-green by that letter?—To 28, College-green.

1215. Did you go there?—I did, on the following Monday.

1216. How was that house, numbered 28, used?—It was used as the Conservative committee-rooms for the city and county of Dublin.

1217. Is that a corner house?—Yes.

1218. One part of it is in College-green?—Yes, that is a shop at the bottom.

1219. And the hall-door entrance is in Church-lane?—Yes.

1220. Did you see Mr. Cusack there?—I did.

1221. Did you see George Kent there?—Yes.

1222. In the committee-room?—In the office on the left-hand side of the stairs.

1223. Do you know a person of the name of Lilley?—I have seen Mr. Lilley.

1224. Do you know Mr. John Judkin Butler?—I do.

1225. Did you see him there?—I have seen him there.

1226. In the committee-room?—I have seen him in both rooms occasionally.

1227. In and out?—In and out.

1228. Did he give any directions to the people about there?—No; he gave me none.

1229. You saw him in and out during the time of the election?—Yes.

1230. How long were you employed before the polling day?—About a fortnight.

1231. You saw Mr. Cusack there?—Yes.

1232. Did you see a Mr. Espey there?—I did.

1223. Did you see Mr. Gibson there?—Yes.

1234. Did you see Dr. Haffield there?—No; I do not know him.

1235. What did you see Mr. Butler and those other gentlemen do?—I have seen them handing books to Mr. Keating and Mr. Atkins, who were the conducting clerks, to distribute amongst the copying clerks in the scrivener's department.

1236. Did you see them giving orders generally about the business of the election?—Yes, I have seen them.

1237. Do you know Mr. Downs?—I do not.

1238. Do you know Mr. M'Canas?—I do.

1239. Did you see them there?—Yes; on the day of polling I saw them in the booth where I was acting as check clerk.

1240. *Chairman.*] Did you see them in the committee-room?—I did not.

1241. Mr. *Coffey.*] Did you see Mr. Mansell in the committee-room?—I did not.

1242. Do you know him?—I do.

1243. Do you know Major Smith?—I do not.

1244. To whom did you communicate the fact of your having a vote after you saw the name in the list?—To a copying clerk who was in the office.

1245. Did you tell any one else?—No; I spoke to a copying clerk, a friend of my own, who was writing at the same table as me.

1246. Did you receive any voting paper?—No.

1247. What were you doing on the polling day?—Acting as check clerk.

1248. In any particular booth?—In number 14 booth.

1249. At what period of the day did you vote?—I left the booth about 12 or one o'clock to go to the polling department for the letter B.

1250. Did you tell any of these gentlemen, Mr. Cusack or Mr. Gibson, that you had a vote?—No, I did not. I saw my name in the list, and I knew I had a right to vote.

1251. Before you left the poor-house, had you any conversation with Mr. Cusack?—No, I do not remember any. I may have spoken a word about what I was going to copy.

1252. You wrote to him on the Saturday?—Yes.

1253. Did you see Mr. Cusack at the poor-house upon that Saturday the afternoon before you left?—The city election came on us unexpectedly, and I did not anticipate it myself two days before.

1254. Did you see Mr. Cusack at the poor-house on the Saturday, or any other day, before you left?—No.

1255. You did not see him there at all?—No, it was in College-green.

1256. Was

1256. Was that the first time you saw him after you left the poor-house?—Yes.

1257. Did you go up and speak to him?—He was not the first that I spoke to; it was Mr. Keating.

1258. Did you see him soon after you had seen Mr. Keating?—I saw him the same day.

1259. Did you say anything to him?—I do not think I said anything to him on that occasion; he was very busy.

1260. Did you speak to him at all?—No; I got some copying from Mr. Keating.

1261. Had you any conversation with Mr. Cusack?—I do not think so, on the first day.

1262. Had you on the second?—I cannot say.

1263. Had you on the third day?—No, I had no occasion to do so.

1264. Cannot you recollect that you had?—No, I cannot; my business was to copy.

1265. Had you any conversation with him of any description before you voted on the 30th of March, during the whole fortnight?—I had not with Mr. Cusack.

1266. Had you no conversation with him whatever?—No.

1267. Did you go back to the poor-house soon after the election?—About two or three days after the election.

1268. What did you do with the clothes that your friend, Mr. Martin, gave you?—I have some of them yet.

1269. Did Mr. Martin make them a present to you?—He gave them to me for the purpose of procuring some employment.

1270. What did you do with those clothes when you went in?—I have some of them yet.

1271. Did you take them in with you?—Yes.

1272. And you remained there until about a fortnight ago?—Yes; I came out upon other business.

1273. You were paid 3*l.* for this work?—Yes.

1274. Did you spend it all in a fortnight?—I did, every penny, and I could have spent more if I had had it; it is always a stirring time at the elections.

Cross-examined by Mr. *Rodwell.*

1275. I believe this is what has led you to go in there; the spending of your money?—Yes.

1276. Your business has been that of a copying clerk, has it not?—Yes.

1277. You have been employed many years in that business in Dublin?—Yes, 11 or 12 years.

1278. When you heard of the election, you wrote to Mr. Cusack for employment, thinking that a clerk like you would be required?—Exactly so.

1279. And on Monday you went to your work, and your friend lent you some clothes?—Yes.

1280. How many hours did you work a day?—From ten till five.

1281. You were busy all day preparing cards and voting papers?—Yes.

1282. And you were paid 25*s.* on the Saturday night?—I think 1*l.* the first Saturday, and 1*l.* 10*s.* the second, and some over time.

1283. You earned your money?—Indeed I did very hard.

1284. You were appointed a check clerk, and you obtained the same remuneration as the others on the polling day?—Yes, 13*s.* 10*d.*

1285. How long have you known Mr. Cusack?—Two years.

1286. Were you ever engaged for him before?—Never.

1287. Had he promised you some time before that if he could give you a job he would?—I had spoken to Mr. Cusack once or twice to know if there was any little business that he could oblige me by giving me.

1288. You have been engaged at the union house, of which Mr. Cusack is the chairman, doing the writing work there?—Yes.

1289. You have been their clerk, in fact?—Yes.

1290. You prepared cards of this description?—Yes.

1291. Were those sent round to all the freemen of Dublin?—I could not say; there were a dozen other clerks besides me.

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1292. Had the employment which you got at this election anything whatever to do with the vote which you gave?—It had not, for I would have voted that way whether or not.

1293. In your judgment, you earned every farthing of the money which you were paid?—Indeed I thought I was not sufficiently paid.

1294. When out of the workhouse you can earn more than that, if you like to work?—Yes.

Re-examined by Mr. *Coffey*.

1295. You say you filled up cards similar to this?—Yes.

1296. Were they all the same coloured ink?—Yes.

1297. Were there any black?—There were red for the freemen, and black for the occupiers.

1298. Would you have got the 3 *l.*, and been taken out of the workhouse and employed, if you had not had a vote?—That I cannot tell.

1299. *Committee.*] Are you in the workhouse now?—No.

1300. When did you come out?—Yesterday week.

1301. Have you any employment now?—I was in employment when I received the document to attend here.

1302. Who by?—By one or two of the collectors of the Poor Law Committee.

1303. Why were you summoned here?—I cannot conceive.

1304. Did you make no statement, before you were summoned, that you could give any evidence?—No.

1305. Did no one speak to you as to what you could prove about the election?—No.

1306. You said nothing to anybody about giving evidence?—It was known to both parties that I worked at the workhouse, and I came into contact with them occasionally.

1307. You made no statement of the evidence you could give?—No.

1308. As to the gentleman who came and fetched you; did you ever see him before?—There was no one spoke to me about it until I received the Speaker's warrant to attend here.

1309. And that is the first you heard of it?—Yes.

Peter Nettleton, sworn; Examined by Mr. *M'Donogh*.

P. Nettleton.

1310. I BELIEVE you are a Newsvender?—I am.

1311. You go about the streets selling newspapers?—Yes.

1312. Are you a freeman?—I am.

1313. Do you remember the morning of the election, the polling-day?—Yes.

1314. Do you know a person of the name of John Lilley?—I do.

1315. Did you see Lilley that day?—I saw him in the morning, the first thing.

1316. About what hour?—Before eight o'clock.

1317. Where?—In Ross-lane.

1318. At the society's house?—Yes; I do not belong to it.

1319. How came you to be there?—I was told that freemen had a meeting there, and I was desired to be there.

1320. Was there a meeting there?—There was a meeting for the purpose of going to vote.

1321. Did you hear Mr. Lilley say anything with reference to voting?—I never saw Mr. Lilley in my life before that morning, to know him; I had a card in my hand with Vance and Grogan on it, and I asked which was Mr. Lilley, and he was shown to me; and I showed him my card, and told him I was come to vote for Vance and Grogan.

1322. What did he say?—He said, "There will be several cars here in the course of a short time;" and I said I did not wish to go on a car, that I would go of my own accord; and then I came away from there, and went down to the committee-rooms in Dame-street, and I went up-stairs for awhile. I spoke to Mr. Cusack, who was there, and he spoke to me, and asked me was I going to vote. I said, "Yes, certainly." He bade me go vote, and he appointed me then as a messenger, or a man to be in readiness there when I was called upon, and gave me a document entitling me to get 13 *s.* 10 *d.*, not for my vote; I solemnly swear I did not take a bribe to vote for him, or any other man.

1323. Do

1323. Do not be offended with me?—I am not offended with you; I am only answering on my oath what I know to be true.

1324. Had you applied for any appointment?—I had not; he made me a messenger, and I was to make myself useful at the place to escort gentlemen up and down to the tally-rooms. I remained in attendance there during the day, and went and voted near to one o'clock.

1325. For whom did you vote?—For Vance and Grogan, as I told you before, and I would do so again. I came back again immediately, attended to my business, which I was ordered to do, to make myself generally useful, and to be in attendance when called upon. I got a document after the election was over, and the compensation for my day's work for my trouble, not for my vote, 13*s.* 10*d.*, which I received some short time afterwards. There were better jobs going than that I had.

1326. *Chairman.*] What did you do?—I attended there at the committee-rooms to make myself useful.

1327. How did you make yourself useful?—By escorting gentlemen to the tally-rooms, and keeping order in the place, which was very crowded, and it was a hard job to do; there were more there besides me; I made myself useful as far as I could.

1328. Mr. *M'Donogh.*] Did you hear Lilley say anything at Ross-lane?—He bade me go vote.

1329. Did he say anything about any other matter?—No; he made no promise to me for money whatsoever, nor any other man, for his vote.

1330. After the election, did you ever go to Lilley's?—I saw him several times in the city passing to and fro.

1331. Did you ever go to his house?—Never in my life.

1332. Did you ever speak to him after the election?—I have.

1333. Had you ever spoken to him before the election?—No.

1334. Did you know him before you went to Ross-lane?—No; I told you so before.

1335. Did you speak to him after the election?—Yes, when he was passing down Dame-street and College-green.

1336. What did you say to him?—I asked him how things were going on; but then I did not speak to him in that way, so as to expect to get any money from him, what he did not promise me.

1337. What did he say?—He said he could not tell me positively how things were going on. He says, "What do you mean by that?" and he could give me no satisfactory answer about it either one way or the other.

1338. Did you say you were kept in the dark about it?—Yes. I did not know anything about what was going on at all; if there were anything going on, I got no information about it.

1339. Did you apply to him a second time, as he gave you no satisfaction at first?—He never gave me any satisfaction at all.

1340. Did you speak to him more than once?—I bade him the time of day. I did not take off my hat, and salute him.

1341. "How do you do, Mr. Lilley; how are things going on?"—How are things going on.

1342. What did he say the second time?—He gave me no satisfactory answer whatever.

1343. What answer did he give you?—He gave me no satisfactory answer at all.

1344. What did he say?—He said there was nothing in question at all whatever that he knew of, and I was to ask no more about it; he had nothing more to say about it.

1345. You did not think that satisfactory?—I saw him several times, but scarce spoke a word to him.

1346. Upon the third occasion did you speak to him?—I did not; I several times passed him, and did not speak.

1347. Did you ever again ask him how things were going on?—No.

1348. Did you ever put any question to him in order to get a more satisfactory answer?—No; I scarcely ever spoke to him afterwards, or went to his house.

1349. Do you remember the date of the election?—I could not swear to the date.

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1350. Do you know the last day for petitioning was the 21st of May?—I do not know what day it was.

1351. Was it in April that you had these two conversations with Mr. Lilley?—I could not swear what day it was, or what month.

1352. Was it within a month after the election?—It was several days and weeks afterwards.

1353. Was it several days after the election that you spoke to him?—Yes; it might be 10 days or more.

1354. Might it be less?—I cannot exactly say.

1355. What did you mean by asking Mr. Lilley how things were going on?—It was a question that I thought I had a right to ask him.

1356. What did you mean by asking him how things were going on?—I meant nothing by it in particular, how matters were going on.

1357. But what did you mean in general?—I meant, perhaps, that if there was any little matter that might be compensation to me, that I might get part of it; and he said there was none.

1358. You meant that, when you asked him how things were going on?—Yes; he said, there was nothing of the kind going on.

1359. Did you say this, that what you meant was, if there was anything going on in the shape of compensation, you would get some of it?—Yes; and he said there was not.

1360. In reply to that question he gave you no satisfactory answer?—He said he did not know of any.

1361. Is that the answer he gave you?—He said there was none; he did not know of any.

1362. Did Mr. Lilley tell you nothing could be going until the time for petitioning was out?—He said there was nothing going on, and he did not know that there would.

1363. And to ask him no more questions?—Yes; I saw him several times after, but I did not speak to him.

1364. What answer did you get the second time?—That there was nothing going on, and he did not know that anything would be; he gave me that answer, and I took it as such, and I had no more to say to him, nor ever went to his house.

1365. How much did you expect?—I did not expect anything if there was; but there was not.

1366. Do you remember the time the petition was presented?—I heard tell of it, and so did the whole city.

1367. You did not hear Mr. Lilley say, at Ross-lane, that whatever was going should be given amongst the freemen?—I did not; he gave me no satisfaction about the thing at all.

Cross-examined by Mr. *Rodwell.*

1368. Were you employed as a tally clerk and messenger?—Yes.

1369. You were paid through the election auditor, and you got 13*s.* 10*d.*?—Yes.

1370. You supply these newspapers to the Registration Society?—Yes, I do; and at present there is scarcely any profit upon them.

1371. Your profit is not so good as it used to be?—No, nothing of the kind.

1372. You were paid for your work precisely the same as the others?—Yes, 13*s.* 10*d.*

Francis Harrison, sworn; and Examined by Mr. *Phinn.*

F. Harrison.

1373. WHAT are you?—A Carpenter.

1374. Where do you live?—No. 8, Hoye's-court, where Dean Swift was born.

1375. Are you a freeman?—Yes.

1376. Who did you vote for at the election?—Grogan and Vance.

1377. Do you know John Lilley?—I do, perfectly.

1378. Do you know Hassett?—I do.

1379. What is Hassett?—In the match-making line.

1380. Did you see him on the 30th of March last?—Yes; I was with him.

1381. Where?—In Green-street, opposite the court-house.

1382. About

1382. About what time of day?—About 12.

1383. Was there an assemblage of freemen there?—I daresay about 30.

1384. Had you voted then?—No, not at that time.

1385. Had Hassett voted?—He voted with me.

1386. When you saw Hassett did you see Lilley?—I did.

1387. Did you hear Lilley say anything to Hassett?—I did.

1388. What did he say?—He said, "Now, Hassett, go and vote, and we will satisfy you in every way;" but he did not mention anything in respect of anything else more than that.

1389. What do you mean by "anything else"?—I mean in respect of any sum of money.

1390. What did Hassett say to that?—I did not hear his reply.

1391. Did Hassett say anything to Lilley in your hearing, when he said he would give him every satisfaction?—He did.

1392. What did he say to Lilley?—He said he was right, and he brought me up to vote with him.

1393. Did Hassett say anything to you in Lilley's presence?—No.

1394. Not a word?—Not a word.

1395. Did Lilley stay with you?—No.

1396. Did he go and speak to the other freemen?—He might have done.

1397. Did you see what became of him?—No; Hassett and I went away together, and we parted.

1398. Did you see any of those 30 freemen come to vote afterwards?—I did not.

1399. Had they voted when you saw them?—I could not say whether they had or not.

1400. Did you see Lilley afterwards that day?—Not on that day.

1401. Did you ever see him before that day?—No.

1402. Did you ever go to any meeting at Ross-lane after the election?—I did.

1403. How soon after the election did you attend any meeting in Ross-lane?—On the same evening.

1404. Was Lilley there?—He was.

1405. Were there many there?—The room was full.

1406. Are you a member of the society?—I am.

1407. Were you then?—I joined that night.

1408. Was Mr. Lilley in the chair?—He was not in the chair.

1409. Was any one in the chair?—No one was in the chair.

1410. Did Mr. Lilley make a speech?—No, he did not.

1411. Did you hear him say anything?—I cannot say he did.

1412. Did you pay any entrance fee?—Only 1*d.*

1413. Then you were enrolled a member?—Yes.

1414. Did you get a copy of the rules?—Not that night; I did afterwards.

1415. Did you get one of these books?—No; my brother-in-law bought two, and he gave me one.

1416. Who is he?—Thomas Leonard.

1417. Is he a member of the society too?—Yes.

1418. Did he become a member on that evening?—Yes.

1419. When did you next attend the meetings?—Every night for three or four nights.

1420. Were they weekly meetings?—Yes.

1421. What day of the week were they held?—Every Tuesday evening; it was a fellowship society.

1422. Did you attend the first Tuesday after the election?—The next day I attended.

1423. Was Mr. Lilley there then?—No.

1424. Was anyone in the chair?—Yes; Mr. Conway.

1425. Who is he?—I do not know; he is a big stout man, nearly as big as you.

1426. Did you attend that day week?—I did.

1427. Was anyone in the chair?—Yes; Mr. Conway.

1428. Did you see Lilley there?—No.

1429. Did you see Lilley at any one of those meetings?—Yes; on the fourth night.

 1430. Was

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1430. Was he in the chair?—He took the chair.

1431. Were any observations addressed to any of the freemen as to getting anything?—No, not that I know of. There was a charge brought against Mr. Conway of giving information.

1432. Who to?—To Reynolds and Brady's committee.

1433. Did Lilley say anything upon that?—No; the charge was brought against Mr. Conway by another party; Lilley had nothing to do with it.

1434. Was anything said of the promise made at the election by Lilley?—Yes.

1435. What did he say?—What promises he had made he would fulfil.

1436. Did he say when he would fulfil them?—No, he did not.

1437. Did Lilley say when he would fulfil his promise?—He did not.

1438. Did he mention the petition at all?—He did not.

1439. Did you see Hassett there?—I did, every evening.

1440. Was he there when Lilley said this?—He was.

1441. Do you know Jason Bacchus?—I do not.

1442. Or Baldwin?—No.

1443. Barlow?—No.

1444. Do you know Tighe, a tailor?—I do.

1445. Was he there when Lilley made this statement?—I cannot say; I saw him in the committee-room.

1446. Do you know M'Guiness?—Not by name. I think, by the appearance of the man, I do know him; he has a scar on his face.

1447. You saw him in the gallery there?—Yes; I saw him there every night I was there.

1448. Do you know Peter Nettleton?—No.

1449. Have you attended these meetings since Lilley made this declaration?—No; I threw it overboard altogether.

Cross-examined by Mr. *O'Malley.*

1450. When did you throw it overboard?—I have not been there these six weeks.

1451. Why did you give it up?—I had to work late at night; I would not be bothered with belonging to a penny society.

1452. Who advised you to do so?—No one.

1453. Do you know Cruikshank?—Yes.

1454. When did you see him?—Yesterday.

1455. Where?—In Kingstown.

1456. Did he go with you to Kingstown?—Yes.

1457. Where from?—From Dominick-street.

1458. What were you doing there?—I went to Kernan's office.

1459. How came you to go there?—That is not a fair question. I went to Mr. Kernan's office, and I was asked a few questions, the same as you asked me; they said, Would I come over here? Of course I would.

1460. Who brought you to Mr. Kernan's?—Cruikshank.

1461. Did he tell you what you were going for?—No; he brought me straight there.

1462. Did you know who Mr. Kernan was?—No.

1463. Did you not ask him?—No, I did not.

1464. Was he an old friend of yours?—No.

1465. How long had you known him?—Not more than a day.

1466. What did he tell you you were going for?—I will tell you; Hassett introduced me to Cruikshank, and Cruikshank came to me, and enticed me to come over here.

1467. How did he entice you?—By nothing more than inviting me to come over here, and state the truth of the election.

1468. Did you ask him if there was any whiskey going on in London?—No, I do not drink whiskey, double X I take.

1469. Did he say what was to become of you?—I got 5 *l.*; 3 *l.* was to pay for a return-ticket, and 2 *l.* to leave with my family.

1470. And to be well kept on the way?—We could get nothing on the way.

1471. They did not give you the double X to-day?—Not at all.

1472. You always take double X?—I take a pint or so.

1473. How

1473. How much have you taken to day?—Four or five pints of porter.

1474. Is that your daily allowance?—Sometimes I take 12.

1475. At the election you took a great deal?—A great deal.

1476. When did you begin in the morning?—The very moment I get up.

1477. Is double X your morning draught?—That is in general; sometimes I have a drop from the little decanter at home.

1478. On the election morning before you went to vote, you took your morning draught?—I took a drop out of the priest's bottle.

1479. That is the strongest whiskey, is it not?—That is the best stuff.

1480. Did you not on that morning take the stout first, and then settle it with the whiskey?—I did not take a drop of anything at all; you must be only joking with me.

1481. *Chairman.*] Is it true or not, that you have been taking five or six tumblers of porter this morning?—No, indeed it is not.

1482. Mr. *O'Malley.*] You have not taken any porter?—One pint.

1483. Is that all you have taken?—No.

1484. Do you know you are upon your oath?—I am on my oath as to what I am saying concerning the election.

1485. You are not on your oath about other things?—I am not.

1486. You have only taken one pint of porter to-day?—Only one.

1487. No whiskey or gin?—No, only two tumblers of porter.

1488. When did you take those?—I took one about twelve, the other a short time after.

1489. Has that made you in the state you are now?—What state am I in now? I think it is a very unfair question.

1490. Will you swear on your oath you have taken only one pint of porter to-day?—I will not answer the question; I may take what I like; that is no affair of any gentleman here, of course not; that is not the point of law you want to get from me.

1491. You swear you have not taken more than a pint of porter to-day?—I will not tell you anything about it.

1492. But you must?—I will not.

1493. Perhaps the chairman will ask you?—If the chairman asks me, he may do so.

1494. *Chairman.*] Now we must not have any more joking; how much have you taken to-day?—Two glasses of porter.

1495. Any whiskey?—No whiskey.

1496. No spirits of any kind?—No spirits of any kind; not a drop.

1497. Mr. *O'Malley.*] Were you not drinking just before you came into this room?—Did you see me drink? This beats all ever I saw.

1498. You were not drinking before you came here?—I was not.

1499. Where did they fetch you from when you were brought here?—In the middle of the yard; I had been travelling all night, since two o'clock yesterday.

1500. When did you arrive in this town?—At half-past five this morning.

1501. When did Hassett introduce you to Cruikshank?—I think it was last Tuesday evening.

1502. Not before then?—No.

1503. What did he tell you when he introduced you to Cruikshank?—Nothing more; only we met together and had a glass of porter.

1504. Where had you this porter together?—In Fishamble-street.

1505. You had never seen Cruikshank before?—No, I had not.

1506. How many glasses of porter had you then?—Only one each; Cruikshank took none, he had a bottle of ginger beer.

Re-examined by Mr. *Phinn.*

1507. When did you leave Dublin?—Yesterday.

1508. About what time?—Half-past twelve.

1509. Were you ill coming across?—Not very ill.

1510. Did you get at once into the railway train?—We came from Kingstown by the boat, and from that to Holyhead.

1511. In the train to London?—Yes.

1512. Were you very tired?—Of course I was.

1513. You have not been in bed since?—No.

 1514. And

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1514. And not able to wash or dress yourself?—No.

1515. You got two pints of porter?—Yes.

1516. You would not belong to this penny society any longer; what made you join it?—I thought there might be a benefit; they were in the habit of giving a loan out of it.

1517. Did you get anything?—No.

1518. Was that what made you leave off?—No; I did not wish to belong to another society, having one on my hands already.

[Adjourned to Monday next, at Half-past Eleven o'clock.

Lunæ, 3° die Augusti, 1857.

THOMAS EMERSON HEADLAM, Esq., M.P., IN THE CHAIR.

Mr. *M'Donogh.*] I am about to hand in the auditor's account. The auditor desired Mr. Kernan to make a copy of his accounts, which we have. If the other side object to it, I will use their copy. If my friends will not admit the account, the auditor is on his way here.

Mr. *O'Malley.*] Is there any gentlemen here who can speak to this being a correct copy?

Mr. *Kernan.*] I can say it is a correct copy; I read it over with the original, and I believe it to be a correct copy.

Mr. *M'Donogh.*] We will put in *de bene esse*; when the auditor comes he will produce the original.

We will now put in from the "Express" newspaper a list of the committee of Messrs. Vance and Grogan on the occasion of the last election.

Mr. *O'Malley.*] You must call a witness to prove that. I decline to admit that.

Mr. *James Farrell*, sworn; Examined by Mr. *James.*

Mr. J. Farrell.

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1519. WHAT are you?—I am a Silk Weaver by trade, and sometimes employed as a writing clerk.

1520. Were you the Secretary of the Protestant Freeman's Fellowship Society?—I was for about four years from the commencement.

1521. Was John Lilley, of 68, Bride-street, its president?—Yes, and is at present; there was a previous president.

1522. He was in 1857, at the election; how long had he been so?—Two-and-a-half, or three years.

1523. Did you take part in the formation of this society?—I did.

1524. It was formed in 1852?—On October 5th, 1852.

1525. Do you remember the Dublin election of that year?—Yes, the 5th July 1852.

1526. I suppose your politics are Conservative?—Yes.

1527. What were the objects of the formation of the society?—The objects are set forth in the Book of Rules at p. 5.

1528. Were you the author of this address?—Yes.

1529. Was there any object as regards the legitimate influence of the freeman's franchise?—Yes; by an organisation we could more effectually use it for our purposes.

1530. You mean election purposes?—Yes; we had no influence anywhere else.

1531. Had there been a little disappointment about the voting in 1852?—Each man felt that.

1532. What

1532. What did he feel?—Disappointment.

1533. At what?—I suppose from not being remunerated.

1534. You mean in 1852 for their vote?—Yes.

1535. How had that happened?—I am not able to tell.

1536. Did not the freemen, or this particular nucleus of them, think it a grievance that they had not been remunerated?—Yes; each complained as he felt in his own case.

1537. That he had not been remunerated for his vote?—Yes; what else would the uneasiness be about?

1538. You cannot define any other cause; was that the chief cause of their uneasiness?—As it regarded that, of course, and to prevent any uneasiness of that kind arising again, they thought an organisation would give them an influence which they would never feel disappointment from again.

1539. Of how many members, at the election in 1857, did this society consist?—I dare say on the roll-book there might be found 200 names of persons who, from time to time, had been numbered in the society's books; the actual paid members were not so many.

1540. How many members, *bonâ fide*, paid a penny a week?—I dare say not more than 60 kept regularly paying.

1541. What do you mean by being on the roll?—There was a register of persons kept, and their date of admission. When a person ceases to attend and to pay regularly, his name is allowed to drop off, or go into abeyance. If he came again, well and good.

1542. In 1857, at the time of the election, there were 200 members?—There might be those names from first to last, not paying more than 60; we did not exclude those who did not pay, on account of their being in arrear; we still retained their names, that we might have an influence.

1543. Had you the addresses of the freemen, so that you could send to them when they were wanted?—Certainly.

1544. Before the election of 1857, did you call a meeting?—We did.

1545. How shortly before the election?—There was a meeting every Tuesday night in the year, and the nearer that we approached the election the greater number we found were beginning to attend. There was no necessity to send out circulars, for one communicated with another, and we soon got them together.

1546. Large numbers attended then?—Yes, to see what was doing.

1547. When was your first meeting of the society at which the election of 1857 was discussed?—I think the Monday before the election. There were two: one on the Monday, the other on the Friday before the polling day.

1548. Were you present?—I was.

1549. Do you know Mr. Lilley?—I do.

1550. Was not Mr. Lilley in the chair?—I think he was; but there was such an excitement I did not notice who was in the chair.

1551. What was the excitement about?—Making speeches in favour of Vance and Grogan, and bringing their courage up as high as they could.

1552. Did you find many came to that meeting who had been absent from many former meetings?—Yes, scores.

1553. Who had not attended regularly during the interval between then and its formation?—Yes.

1554. Mr. Lilley was there, whether he was in the chair or not?—I think he was.

1555. What was the subject of discussion at that meeting?—To pledge ourselves that we would use our utmost endeavours to return Messrs. Grogan and Vance, and influence all we could to do the same.

1556. On the Friday before the polling, who was in the chair?—I was not present at that meeting; I was there at six o'clock, and I wrote a resolution, and left it with the meeting to have it disposed of.

1557. Mr. Vance attended at that meeting on the Friday?—Yes.

1558. Were you there when Mr. Vance was present?—I was not.

1559. Did you draw out a resolution to be passed when Mr. Vance came?—To be passed in his presence, to express the feelings of the meeting.

1560. With whom did you leave that resolution?—I left it with Mr. Benson.

1561. What is Mr. Benson?—The treasurer to the society.

1562. Is that Mr. Benson of No. 27, Cork-street?—Yes.

1563. Was anything said, after the election in 1852, about a sum of 500 *l.*?—

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There was, I believe, an offer that Grogan and Vance made, not to our society, but to the Protestant Orphan Society.

1564. Did you hear that made?—We know it was made.

1565. Did you hear any promise of a sum of 500 *l.* having been made by Grogan or Vance at the election of 1852?—I did not hear them promise it.

1566. What funds of your own had you in 1857, at the date of the election?—I suppose there was about 40 *l.* in the bank, or in the treasurer's hands.

1567. Had Mr. Lilley any control over the funds of the Ross-lane Society?—None, except that his name is on the cheques given to the Royal Bank when the money was deposited.

1568. Had he any right to distribute the funds of the society?—Not at all.

1569. Or to promise to distribute them?—No.

1570. What did the 40 *l.* consist of?—The 1 *d.* a week, and the subscriptions from the Conservative gentlemen whose names you will find in the Report.

1571. Did Vance and Grogan contribute to it?—They did.

1572. How much?—£. 5 a year each.

1573. Was this the Report that you mean (*handing a book to the Witness*)?—Yes.

1574. One of your objects, I see, is to provide decent interment to freemen?—Yes; but they do not die very fast.

1575. How many have you buried out of the funds within these five years?—Five.

1576. Was there anything said about their attending on the day of nomination; the freemen of the society?—Yes; they were to make a decent appearance there.

1577. How much were they to receive each for their attendance?—They did not all go, but those that did got 2*s.* 6 *d.* each.

1578. From what source?—From the treasurer, Mr. Benson.

1579. Did they attend the meeting at the Music Hall?—They did.

1580. Were you at that meeting?—I was.

1581. Was Mr. Grogan or Mr. Vance there?—I think I saw them both, but I will not be positive; there was such a noise with "Kentish fire" that I was glad to get away.

1582. The freemen of the society keep up the "Kentish fire"?—Yes; as well as they can.

1583. Were they to be paid for their attendance at the Music Hall?—They were paid.

1584. How much?—Two shillings and sixpence.

1585. Did that come out of the penny a week?—Yes.

1586. In addition to the nomination money?—Yes.

1587. How many of them attended the nomination?—I assisted Mr. Benson to make out the list, and I think there were 40 or 46 who attended.

1588. At each place?—Yes, about the same number.

1589. Were they the same men or different?—It might not be convenient for some to go to the nomination, and they might go to the other place.

1590. Were all these voters?—I think some who attended were not voters.

1591. How many of the 40 were voters should you think?—I should say 36 were voters.

1592. How many of those who attended the Music Hall were voters?—I generally understood them all to be voters; I think so.

1593. Were they all voters at the nomination?—I think so.

1594. The Ross-lane rooms were the tally-rooms of the candidates?—Yes.

1595. Did you attend any meeting after the election?—I did.

1596. At which Mr. Lilley was in the chair?—I did.

1597. Several?—No; Mr. Lilley is not a very constant chairman, although he is president, but I remember being at one.

1598. He took the chair at some meeting that was held after the election?—He did.

1599. Did you hear anything being said about promises to the voters?—I did; the night that Mr. Lilley took the chair, when I was present, there was great dissatisfaction expressed at the delay that had arisen, and the men not getting what was promised to them; and Mr. Lilley came that night especially to be present to answer some of the grumblers about the matter, and he told them, after a while, "I suppose you expect I should say something to you." They were all very eager

to

to hear him; he said, "All I can say is, that the promise I made to you shall be faithfully kept, and at present I cannot say more, as the Dublin election petition is pending, and one thing and another, and it would not be prudent for me to say more."

1600. What is Mr. Lilley by trade?—He is a shoemaker by trade, and sexton to the Molyneux church, in Bride-street.

1601. Is he a 10*l.* freeholder?—He has a free residence attached to the church.

1602. *Committee.*] Of which he is the sexton?—Yes.

1603. Is that a church belonging to a burial-ground?—No; belonging to the Blind Asylum.

1604. Mr. *James.*] How near is Ross-lane to that?—About a quarter of a mile.

1605. You say they were grumbling; what were they grumbling about?—About what they grumbled at in 1852, not being paid.

1606. When Mr. Lilley said this about the petition, how many freemen were present?—A large number that night.

1607. How many should you say?—I should suppose 80; at all events, it was the largest meeting I had seen, except when there was a public meeting.

1608. Do you know Joseph Hassett?—I do.

1609. Did you see Joseph Hassett present at this meeting when Lilley said they could not be paid in consequence of the petition?—I did.

1610. Do you know Moy, a voter, who has been called?—I do.

1611. Was he present, and heard this?—He was.

1612. Do you know Mr. Joshua Conway?—Yes.

1613. Was he present and heard this?—Yes.

1614. Did Mr. Lilley announce this from the chair, that his promise should be performed?—He pledged himself so distinctly to them, that, under the circumstances of the election petition being pending, they could not be otherwise than satisfied, and wait till a future day.

1615. Was it stated at the meeting what they were to have each?—There was no specific sum ever mentioned.

1616. Were the whole body to be paid something?—Every man expected to get alike.

1617. How did the meeting end?—After their usual business being done they went away.

1618. When Lilley was making this statement, did you hear him say anything about having the promise of any gentleman in whom he put confidence?—Yes.

1619. What did he say about that?—I do not think he spoke so explicitly in the public meeting as that.

1620. Were there other meetings held which were not so public, at which Lilley was present?—There were often a separate few.

1621. When Lilley was present?—Yes.

1622. Was that a meeting held with closed doors?—No, we let stragglers go away and we remained behind.

1623. A more select portion?—Yes.

1624. How frequently were these select meetings held?—They remained in the room when the others were gone.

1625. Did you hear Lilley say anything of the promise to these select meetings?—To myself, he explained it.

1626. Can you give me the names of any voters who were present?—He stated the matter to me so often that it would be hard for me to remember exactly who the persons were; but, at all events, on one of these occasions, I know that Mr. Benson was present, and it must be understood that in the management of these affairs generally there were only us three, and sometimes other two, who arranged these matters.

1627. Tell the Committee what he said when Benson was present, about relying on the promise of any one; what did he say?—I felt unwilling to believe the many statements that were made by Mr. Lilley, on account of the delay that occurred in their being fulfilled; and I pushed him hard to get some better assurance than that he had already given for these poor men, who were looking to him for payment. He told me that he had been times and times down with the committee to ascertain when it could be got, and he said, "At last I have got the word of a gentleman for it, and I can rely upon that."

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1628. Was that for payment to be made?—Yes.

1629. Was any name ever mentioned?—There was; the person whom Mr. Lilley relied upon to have all this matter arranged after the investigation was over, was Mr. Cusack; but he said at the same time, "Had I merely the promise of Mr. Gibson I would not rely upon it all."

1630. Who is Mr. Gibson?—The gentleman sitting there.

1631. At how many meetings did you hear this demand for payment, and this promise?—No man made a demand, exactly, of being paid publicly.

1632. What was said?—I have told you what was said already.

1633. At how many meetings was this repeated?—Mr. Lilley avoided coming to every meeting, because he knew he would be posed with these questions, and of course he came as seldom as possible; but they relied that it would be all right in the end.

1634. What claim had those people on Mr. Lilley?—That he was in such a position as to be able to arrange the matter for them.

1635. Had they any other claim, except a claim as regards money for their votes?—No other claim whatever.

1636. Can you tell me the names of any of the voters who were 2 *s.* 6 *d.* at the nomination?—I cannot undertake to do so.

1637. Nor at the Music Hall?—No.

1638. You say they were voters?—Yes, I saw them.

1639. You made out a list with Mr. Benson?—I did.

1640. Tell me the names of those who were voters who got the 2 *s.* 6 *d.*?—I have not a list before me, and I might not be correct.

1641. Be as correct as you can; do you know Jason Bacchus?—He is a voter.

1642. Was he paid this 2 *s.* 6 *d.*?—I will not say.

1643. Do you know Baldwin?—I do not know him.

1644. Richard Barlow?—He is a voter.

1645. Was he paid?—I have not the list, and I will not undertake to say so.

1646. Can you tell whether this list is correct or not?—Whether they got the money or not, I cannot tell.

1647. What did you do with that list?—Mr. Benson kept it.

Cross-examined by Mr. *Rodwell.*

1648. This dissatisfaction arose from not having been paid something from the freeman fund themselves in 1852; is that so?—Yes.

1649. They were dissatisfied about that?—They were.

1650. And you say there was a very large attendance at this first meeting, and you pledged yourself to use your best exertions, and to use what influence you could with other people to secure Vance and Grogan's election?—We did.

1651. This society was formed after the election in 1852?—Yes.

1652. Partly for political purposes, and partly as a benefit society for poor members?—Yes.

1653. You said Messrs. Vance and Grogan were subscribers; are there not several gentlemen who entertain strong Protestant feelings in Dublin, and also subscribe to the funds of your own society?—There are many much larger subscribers than Vance and Grogan; Mr. Wood, of Milverton, is the largest subscriber and the best friend of the society.

1654. Its chief characteristic is its being a Protestant society?—Yes.

1655. There are several clergymen subscribers?—Yes.

1656. When was your first meeting in 1857?—The first meeting, distinct from a regular weekly meeting, was the Monday before the election.

1657. Was that when you pledged yourself to do all you could?—Yes; on the Monday and Friday in that week.

1658. Before a person becomes a member, it is pretty well ascertained what his political feelings are?—Yes, always.

1659. Is it not a fact, that many who voted against the Protestants at the election in 1852 were turned out of the society?—No.

1660. Since the election of 1857, have some members been turned out for voting for Reynolds and Brady?—There was one that I know of.

1661. Who was in the chair on the occasion of this meeting?—I think Mr. Lilley, but I am not sure of that, for I was writing most of the time.

1662. You

1662. You were formerly the secretary of the society?—Yes, for four years.

1663. When were you dismissed?—I never was dismissed, I resigned.

1664. When did you resign?—About Christmas 1856.

1665. Why did you leave?—I could not attend to the business.

1666. You declined to act?—I did.

1667. Were you not dismissed for drunkenness?—I was not dismissed; I was drunk.

1668. You left because you were drunk?—Yes.

1669. Of your own accord?—I did.

1670. Were you not dismissed for repeated drunkenness?—I was not.

1671. You were asked to send in your resignation?—I handed over the books to Mr. Benson.

1672. Were you drunk then?—No, I was not.

1673. Had they not complained of your drunkenness before?—They did, and I thought it was high time for me to give up the business when I was not steady enough to do it.

1674. You thought it was proper that you should retire?—I did

1675. *Committee.*] Did you say that to them, or they to you?—I said so to Mr. Benson when giving him the books.

1676. Mr. *Rodwell.*] Up to 1856, were not various small sums by way of loan or gifts given to the poor members of this society?—Frequently.

1677. Which sometimes were repaid, sometimes not?—Instances are very rare in which they are not.

1678. Did the sums vary, or was it one sum?—One sum.

1679. What was that?—Ten shillings, to be repaid at 6 *d.* a week.

1680. When did you first give any information to Alderman Reynolds on the subject?—I spoke to Alderman Reynolds, but the day I do not know.

1681. Tell me about the time?—I suppose it may be four or five weeks from this period.

1682. Did he send to you, or did you go to him?—I went.

1683. How came you to go?—I was brought there.

1684. Who took you?—A couple of friends of mine

1685. What were their names?—Mr. Dawson was one.

1686. Who was the other?—I think it was Mr. Flanagan.

1687. What did they tell you they wanted you for?—I do not know.

1688. What did they come to you for?—To give such evidence as I was in possession of respecting the working of the Freemen's Fellowship Society, particularly in reference to the last election.

1689. Then you were taken to Mr. Reynolds's?—Yes.

1690. How many times have you seen Mr. Reynolds on this subject?—Only once.

1691. Did you get anything from him on that occasion?—I did.

1692. How much?—I got 15*s.* that day.

1693. That was a good day's work?—It paid me, but I spent it very soon.

1694. What did you get the 15*s.* for?—For my day's work.

1695. How long were you with Mr. Reynolds?—I suppose two hours.

1696. You mean to tell the Committee you got 15*s.* for two hours' work?—I got it, I may say, for the whole week; for I was idle all the week.

1697. Did you get 15*s.* for your evidence; on your oath?—It did not take a week to give my evidence; it took two hours.

1698. Was it for your evidence that you got this 15*s.*?—It was not for my evidence; it was for my day's work.

1699. Do you mean that your day's work was the two hours in which you were thus engaged?—Yes; and I reckon your pleading here is a day's work for you; that is the way we understand it in our country.

1700. You got 15*s.* for your evidence?—Yes.

1701. How much were you told you were to have for your evidence before you got here?—I was not promised anything.

1702. How much did you ask?—Nothing but that.

1703. Nothing but 15*s.*?—Nothing more.

1704. Who did you ask?—Dawson.

1705. What did you say?—I said, in going with him in this election, that I could not go and look for employment again under the Conservatives' committee. "I am out of employment all this week; and to show you that it is not the

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mere money that I am asking for, I will give you my time for the same time that I should get at the loom, 15*s.*; for I have been idle all the week." That was merely to show that I was not straining a point to get money.

1706. How much do you get a week?—I had 1 *l.* a week from the Conservatives when I was writing there.

1707. Do you mean as secretary?—No; I was the writing clerk in the Conservative office.

1708. Did you give that up at the same time as the other?—No, I did not give it up.

1709. Were you dismissed?—I was told there was no employment for me.

1710. When were you told to leave there?—The Friday before I went to Mr. Reynolds's.

1711. *Committee.*] You were not in the Conservative employ at the time you went to Mr. Reynolds's?—Not that week, nor for some six or eight days before.

1712. Mr. *Rodwell.*] What day of the week was it you went to Mr. Reynolds's?—The same day in the next week.

1713. Had you any communication with Dawson or Flanagan that week before you went to Mr. Reynolds?—About one hour's conversation.

1714. What day was that?—I rather think it was the same day I went to Mr. Reynolds.

1715. It was not long before you went to Mr. Reynolds that you had a conversation with Dawson?—I saw those two persons very frequently; one of them lives within a very few doors of me, very convenient to my place.

1716. Did you not see them on the subject of your evidence shortly after you left the society?—I did.

1717. Did they intimate to you, that if you could give evidence you would be paid for it?—Yes.

1718. Did you name the sum of 15*s.*, and say you thought you were entitled to that, from what you would lose by leaving the Conservatives?—I did.

1719. What more have you been paid since?—I stipulated that I should have that every week until I was brought here.

1720. When did this payment commence?—From the day that I was there.

1721. Have you had your 15*s.* a week?—Yes.

1722. And what else?—What brought me here.

1723. Tell us what it was?—I got a ticket to come here and go back, and two sovereigns.

1724. And your 15*s.* a week besides?—Yes.

1725. Did you make a bargain to have 15*s.* a week until you gave your evidence, or was that suggested by Alderman Reynolds?—No, that was my own suggestion; I wanted to leave it with my children. I knew I should be out of employment.

1726. You wanted this 15*s.* a week for your children?—Yes.

1727. What have you been doing since that time?—Nothing at all.

1728. Not looking out for work?—Yes, I have.

1729. When did you receive these two sovereigns?—That was to bring me here.

1730. What have you done with the two sovereigns that you received?—It would be very hard to tell.

1731. What did you do with it?—I laid some of it out for clothes, some of it I spent, some of it I gave the children, and I believe I spent the remainder here.

1732. Who paid your expenses over?—Kernan and Tracy.

1733. You had 15*s.* down, six half-crowns?—It was 15*s.*

1734. The first time you went to Alderman Reynolds?—Yes.

1735. And you have had 15*s.* a week regularly since?—Yes.

1736. And two sovereigns extra; that was a gratuity you did not expect?—I did.

1737. Did you make that a bargain?—No; it was understood generally in Dublin that it was a rule that witnesses coming to the House of Commons were to have 5 *l.* to bring them to London, 5 *l.* to bring them back again, and a guinea a day while they would be here.

1738. Did you expect that?—I did.

1739. Did you take that into consideration when you thought of giving your evidence?—I did not. If it was the law, of course I would get it.

1740. Did

1740. Did you expect it?—I did.

1741. You would not have come without it?—I would.

1742. Without your money?—No, certainly not.

1743. You would not have come unless you had been well paid?—I would expect to be well paid.

1744. Did you not ask if Alderman Reynolds could get you a situation?—I don't think I did.

1745. Try and recollect; that when the committee was over, and the Conservatives were thrown out, there would be something to be given away, and you might get something?—Not at all.

1746. Have you not said you were asked if you could fill a Government situation?—Not by Alderman Reynolds. This was a conversation I had with another person when returning from Mr. Reynolds's office. I said, "Now this settles it; I am sure I will not give evidence." He said, "If the matter turns out to Mr. Reynolds's satisfaction, do not you think he might have influence enough to get you a situation that your abilities might enable you to fill?"

1747. If Vance and Grogan were turned out on this petition?—Yes.

1748. He thought it likely you might get a Government situation?—Yes.

1749. *Committee.*] Who was that gentleman?—Mr. Dawson.

1750. Mr. *Rodwell.*] The gentleman who introduced you to Mr. Reynolds?—Yes.

1751. Were you not offered 100 *l.* if you could give evidence that would implicate Mr. Cusack?—I was not.

1752. How much?—Nothing at all; no such suggestion was ever made to me.

1753. Have you not said it was as good as a pound to you if you could get a case against Mr. Cusack?—I have not.

1754. Did you not state that to Major Smith?—I did not.

1755. Did Dawson and Flanagan have a good deal of conversation with you before you consented to go and see Mr. Reynolds, or did you go readily?—I went readily.

1756. Why did you put off going for a week; why not go at once?—I was in the employment of the Conservatives.

1757. The day you left the Conservatives you had a communication with them?—I am not certain of that.

1758. Why did you delay going to Mr. Reynolds for a week?—I went the moment I was asked.

1759. Had not Dawson and Flanagan asked you before about your evidence?—I never spoke to Dawson before that day.

1760. You said just now you saw them so often you could not tell when the conversation was; did they not several times mention the subject before you went to Mr. Reynolds?—I do not think I ever was in conversation with Dawson on the subject before the morning of the day I went. I often talked to Flanagan, who keeps a public-house, and I was frequently there tippling.

1761. When you were out of work?—Yes.

1762. Did Dawson come to you first through Flanagan?—I do not think so. Dawson was an agent of the Liberal party.

1763. Had you ever said a word about your evidence until you were dismissed from the Conservative Society?—I think I had.

1764. Who to?—I think to Flanagan.

1765. Were you not very angry at being dismissed?—I would rather have been kept in employment.

1766. Did you not tell the parties it was a bad job for them that they had dismissed you?—It is likely I said so.

1767. Did you not say so?—I would as soon have told them that as anything else. If I said it, I meant it.

1768. *Committee.*] What did you say?—I said I was very sorry for losing their employment; it would send me to seek employment elsewhere.

1769. Mr. *Rodwell.*] And it was a bad job for them?—I did not add that.

1770. Were those the words that you used, what you have now said?—As near as I can recollect.

1771. Who dismissed you from the society?—I was not dismissed; that word sounds so very strong.

1772. When were you asked to go?—The clerk, Mr. Atkinson, came in, and told

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told me he was sorry to tell me that Mr. Cusack said there was no longer employment for me for some time.

1773. Did you not say you were angry; it was a bad job for the Conservative Society, and they should repent?—I never uttered such a word in my life; all I said was, "It cannot be helped."

1774. Were you drunk or sober then?—Perfectly sober.

1775. Were you drunk the day before?—I was not.

1776. How lately before?—A fortnight before.

1777. You do not recollect saying it was a bad job their turning you out?—I would be a great fool to say such a thing to the first clerk in the office.

1778. You swear you did not?—I do.

1779. Not to any one?—Not to my knowledge.

1780. Did you not go to Flanagan as soon as you were out of the Conservative society, and say, "They have turned me out; I will split on them," or words to that effect?—On my oath, I have no recollection of such a thing.

1781. Did you not go to Flanagan soon after you were turned out of this society?—I went the first time I wanted drink to his house.

1782. That was very soon after?—It was.

1783. Did you not make it a grievance that you had been discharged?—I do not think I did; if I was inebriated, how could I mind these particulars?

1784. You did not make it a grievance?—I do not think I ever did

1785. You said just now that Lilley said the promises he had made should be faithfully kept, and it would not be prudent to do anything, as the petition was pending?—Yes.

1786. At what meeting was this?—The weekly meeting of the Freeman's Society.

1787. Soon after the election?—The fourth week after the election, I suppose.

1788. That would be about the 30th of April?—About that.

1789. Did you have any conversation after with Lilley about this statement?—Yes.

1790. Did you know from Lilley that he had been bothered by these people, and that he was almost afraid to come to the society, because the people were asking him to do different things for them?—Yes.

1791. Do not you know the freemen constantly taxed him with not having paid them for the election of 1852?—No; he had nothing to do with the election of 1852.

1792. Did they not say to him at this last election, that if he pleased he could get them what they ought to have had in 1852?—No, he never told me that.

1793. The promises you refer to have reference to 1857?—Yes.

1794. Did you tell all you have told to-day to Mr. Reynolds?—I am not sure whether I did or not.

1795. Was it taken down in writing?—It might be.

1796. Was it not?—There was no man writing so near me as that gentleman is opposite.

1797. Was it or was it not taken down in writing?—I believe it was.

1798. Do not you know it was?—I do not.

1799. Could you not describe the person in the room, a dark-haired young man?—Yes; I could not say whether that was what I said; he was at a desk, but I considered it was; I did not sign any document about it.

1800. Have you made any statement since?—I did.

1801. When?—When I was sober.

1802. Were you not sober when you went to Mr. Reynolds's?—No.

1803. You were drunk when you went to Mr. Reynolds?—Yes, I was.

1804. When you asked for the 15 *s.*?—Yes.

1805. Are you generally drunk, may I ask?—Except now.

1806. You were a good deal drunk at the time of the election?—Indeed I was not; when I have business to do, I can be sober.

1807. Had you not business to do at Mr. Reynolds's?—Yes.

1808. Why were you drunk then?—Well, I was just fit for it.

1809. You were examined again when you were sober?—Yes.

1810. Who examined you when you were sober?—Mr. Tracey.

1811. When was that?—The 23d of July.

1812. Were you not examined between this time and when you were at Mr. Reynolds's?—No, not by either the Conservatives or the Liberals.

1813. What

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1813. What were you doing with yourself all that time, drinking?—I was at home sick, getting sober.

1814. That is your answer on your oath to this Committee?—It is.

1815. Do you mean you were three weeks at home recovering from the effects of your drunkenness?—I was a whole fortnight without tasting any drink before I went to Mr. Tracey.

1816. You got sober for the purpose?—I got sober for my own purposes; to look after employment, and to mind my business.

1817. After you got the 15*s.*, you drank that out?—I did; that was reasonable.

1818. Are you a married man?—I am a widower.

1819. How many children have you?—Four.

1820. Are they dependent on you?—No.

1821. They support themselves?—Nearly so.

1822. How old is the eldest?—Thirty.

1823. Do they live with you?—Yes.

1824. Have you had nothing since you have been in London?—Not one farthing, much to my regret, I can tell you.

1825. Like Mr. Lilley's friends, you think yourself ill used?—I would rather have the money.

1826. Have you applied for any money?—No.

1827. Are you going to apply when you leave this room?—No.

1828. You will leave it to their honour?—Just as they please.

1829. Do you know Mr. Benson?—Yes.

1830. Is he in London?—Yes, he is.

1831. Is this the only occasion that you saw Mr. Reynolds?—Yes.

1832. Have you ever written to him?—Never.

1833. Who was present at this interview?—It was at his counting-house; Mr. Flanagan, Mr. Dawson; I do not know the other gentleman who was in the room.

1834. And the dark-haired gentleman at the desk?—Yes.

1835. Any one else?—I do not recollect.

1836. They all heard what you said?—Most likely.

1837. Are there any other witnesses whom you know of who have had 15*s.* a week since they gave their information?—I do not know.

1838. You have not learnt that from any of them?—No.

1839. Mr. *M'Donogh.*] You said you had a conversation with Major Bramston Smith; is he in the room now?—No; I know a person called Bramston Smith by sight.

1840. Had you a conversation with him?—I do not recollect ever having a conversation with Bramston Smith.

1841. *Committee.*] Were the Ross-lane rooms used for any of the parties at this election?—Yes.

1842. For whom?—For Vance and Grogan.

1843. How many days before the election?—A week before.

1844. Did you let them?—Mr. Lilley did.

1845. In your presence?—He mentioned to me that two guineas was to be given for the use of the rooms.

Mr. *James Burke*, sworn; Examined by Mr. *M'Donogh.*

Mr. *J. Burke.*

1846. ARE you a Grocer in Bride-street, Dublin?—I am.

1847. On the Friday before the election did you go to the Ross-lane rooms?—I did.

1848. How came you to go there?—I went over to hear a speech.

1849. Is your house near to Ross-lane?—It is nearly opposite.

1850. You were not a member of the society?—No.

1851. Was there a person at your establishment who was about to go there?—Yes.

1852. Did you accompany him?—I did.

1853. You entered the house?—I did.

1854. What was this person's name?—Stamford.

1855. Was any one that you saw at the door?—There was.

1856. Were you allowed to pass without question?—I was.

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1857. Do you know Mr. Vance?—I was told it was Mr. Vance who was speaking.

1858. Should you know him if you saw him?—I should.

1859. Did you see Mr. Lilley there?—I did.

1860. Was any other person there whom you knew?—I saw several, but I cannot call them to mind; Mr. Burney, who lives opposite.

1861. Who was addressing the meeting?—Mr. Vance.

1862. Was Mr. Lilley near him?—He was.

1863. What did you hear Mr. Vance say in the course of his address?—Well, I really cannot say; part of the time he told them about the previous election, when they made a promise of 500 *l.* to support a school, the Freeman Orphan School; by the freemen making up 500 *l.*, they would give 500 *l.*

1864. Who would give 500 *l.*?—Messrs. Grogan and Vance.

1865. Five hundred pounds between them?—Yes, altogether, and that now it would be given at that time.

1866. Do you remember Mr. Vance saying anything about Mr. Grogan, the other candidate?—I do not.

1867. Do you remember anything else that occurred on that occasion, while Mr. Vance and Mr. Lilley were there?—I do not.

1868. Mr. *Rodwell.*] Are you a voter?—No.

1869. Are you a Roman-catholic?—Yes.

1870. You went over there to hear this speech?—Yes.

1871. *Committee.*] Was this a public committee-room, or a freeman's place of meeting?—It was a freeman's place of meeting.

1872. Were the walls of the room placarded?—I saw no placards.

1873. Did you know that this was a meeting for election purposes?—Yes; I went there to hear Mr. Vance make his speech.

1874. Was Stamford a Protestant?—Yes.

1875. Was he a freeman?—I believe he is a voter; not a freeman.

1876. Did you see any one else there who was a voter, and not a freeman, who came, like you, to hear the speech?—Yes, I saw Mr. M'Cullagh.

1877. Were there people there to give it the character of a public meeting rather than a freeman's meeting?—There were a good many there who were not freemen.

1878. Mr. *Rodwell.*] Was it a ward meeting?—I think it was principally a Protestant freemen's meeting.

1879. Do you know Stamford's Christian name?—No.

1880. Was he a guest at your house-taking refreshment?—Yes, just like any other person.

1881. Are you sure that the words used by Mr. Vance had not reference to the Protestant's Orphan Asylum?—No; I think it was as to the Freemen's School.

1882. Is there not a society in Dublin called the Protestant Orphan Society?—I believe there is.

1883. Was it not in reference to that Mr. Vance spoke?—I do not think it was.

1884. *Committee.*] Was this meeting called by notice or handbill?—I do not know how it was called; there were several freemen in my place who told me Mr. Vance would be speaking, and that caused me to go.

1885. How many persons were present?—Between 80 and 100.

1886. What o'clock was it?—About eight in the evening.

1887. How long did you remain?—About three-quarters of an hour.

1888. How long did Mr. Vance speak?—I should think half an hour; he was speaking when I went in.

1889-90. How long did he speak about this 500 *l.*?—Not long; he spoke on other subjects; I cannot recollect.

1891. Was there any interruption on the part of the freemen as to his promise, or did he go on?—Yes, I think some of them cried out that that would not do; that they should get something else besides that.

1892. What did he say to that?—There was no answer.

1893. Are you quite clear that he said, if the freemen would subscribe 500 *l.* that they would give 500 *l.*?—That I am certain is what was proposed at the former election, and he said that would be done now.

Henry Edward Brown, sworn; Examined by Mr. *Coffey*.

1894. WHERE do you reside?—In the North-road now; I formerly resided in Dublin.

1895. Have you been here some time?—About three weeks.

1896. Did you come over to London on the business of this election?—No.

1897. Were you in Dublin at the period of the last election?—I was.

1898. Did you vote?—I did.

1899. For whom?—For Vance and Grogan.

1900. In what capacity?—As a freeman.

1901. Were you present at any meeting of freemen before the election?—I could not say whether it was the night before the election or not.

1902. But you did attend some meetings?—I did.

1903. Where were those held?—I attended two meetings in Abbey-street, at the Music Hall.

1904. What is your occupation?—At the time of the election I was foreman to Messrs. Hutton & Co., coachmakers.

1905. You are not in their employment now?—No.

1906. How long were you in their employment?—Twenty-two years; eight years as foreman.

1907. You parted from your master on good terms?—Yes; and I have letters to satisfy you of that.

1908. At the meeting in Abbey-street was Mr. Grogan or Mr. Vance present?—Yes.

1909. Which of them?—Mr. Grogan was present on two occasions; I remember Mr. Vance on one.

1910. How long was this before the nomination?—Some two or three days.

1911. The same week?—I think so.

1912. Was it Mr. Grogan or Mr. Vance at this meeting?—Mr. Grogan.

1913. Did he speak?—He did.

1914. In the course of his speech, did he make any reference to the other candidate, Mr. Vance?—He stated that Mr. Vance was attending a meeting in Ross-lane, and that he could not attend the Music Hall in consequence of that.

1915. Are you a member of the Ross-lane Society?—I am.

1916. At what period did you join it?—At about the time of the election; I am not sure of the day.

1917. This last election?—Yes.

1918. Did you pay a penny a week?—Not a penny a week; I am not sure whether it was a shilling or not.

1919. Did you get a book of the rules?—I did.

1920. Do you know John Lilley?—I do.

1921. Did you attend any meeting of the Ross-lane Society after you became a member?—I did, several.

1922. Was Mr. Lilley present at any of the meetings which you attended?—I think he was on three or four occasions.

1923. Was this after the election had terminated?—Yes.

1924. Did you see him at any meetings before the polling-day?—He was there; but he took no part that I recollect.

1925. You did see him at one meeting?—I did on one night.

1926. Did you see him afterwards?—I did.

1927. You were all freemen that attended?—Yes.

1928. Did you hear Mr. Lilley make any observation to the freemen present at these meetings after the election?—Yes.

1929. Tell the Committee any observation that you heard Mr. Lilley use with reference to the freemen?—He made several observations; I think this was about the second or third night after the election.

1930. Did he say anything about a promise?—He did.

1931. State, as nearly as you can, what he said about a promise?—I think, as well as I recollect, he stated that the promises that were made should be fulfilled, or something tantamount to that; that was the meaning of his words.

1932. Did you recollect his saying anything about presenting a petition?—He did on a subsequent night.

1933. Tell us what he said about the petition?—He stated that nothing could

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be done until a certain number of days had elapsed; I think fourteen days after Parliament was opened, or after the petition was lodged.

1934. Did he make any allusion to any person who had given him a promise, or an assurance of any kind?—I believe so; the impression on my mind is, that he did.

1935. Tell us, as nearly as you can?—I think he said that from the authority he had the information he gave, it might be relied upon as true that the promises were expected to be fulfilled.

1936. *Chairman.*] He said that his authority could be relied upon?—Yes.

1937. Mr. *Coffey.*] Upon all these occasions were any precautions taken to have persons not freemen excluded?—Certainly.

1938. What was done to effect that object?—Previous to the announcement of Mr. Lilley, he ordered that every one who was not a member should leave the room.

1939. *Chairman.*] That was before he made the announcement about the promises being fulfilled?—Yes, it was.

1940. Mr. *Coffey.*] This was upon one, or more than one occasion?—I think it was upon two, to my knowledge.

1941. What happened in the room which induced Mr. Lilley to give this order?—There were some words passed between some one in the room and Mr. Lilley.

1942. What was said?—I declare I cannot state distinctly; but I know it was on that occasion that Mr. Lilley stood up and said, Any one who was not a member was to leave the room.

1943. Was anything done with the door?—It was shut and bolted, and there was a man at the door not to let any one in.

1944. After you were all to yourselves did Mr. Lilley say anything?—Simply a renewal of what I have stated, that they might rely upon a party from whom he had the promise, and that it would be fulfilled, and that we might be perfectly satisfied.

1945. *Chairman.*] Did he mention any name?—No, he did not.

1946. Mr. *Coffey.*] Who do you mean by "we"?—The members, of course.

1947. What part in the discussion was taken by the freemen during this conversation with Mr. Lilley?—There was a good deal of dissatisfaction amongst some of the members.

1948. Were you one of the grumblers?—I was not.

1949. What was the substance of the words that they used?—That they were disappointed.

1950. *Chairman.*] Cannot you recollect anything that was said?—It was a general dissatisfaction that the promises were not fulfilled.

1951. *Committee.*] What do you mean by the "promises"?—That is what Mr. Lilley said.

1952. You speak of the promises; was anything said about a promise?—Nothing more than this, that Mr. Lilley said that the promises which had been made should be fulfilled.

1953. *Chairman.*] There was nothing to show what those promises were?—No.

1954. Mr. *Coffey.*] I take it for granted the word "money" never was used?—I could not swear that money was made use of.

1955. Do you know a gentleman of the name of Patrickson Pike?—I do.

1956. Did you see him there any evening?—I did, on two or three occasions.

1957. Did he make any speech there?—He did.

1958. Was Lilley there when Mr. Pike was speaking?—On one occasion he was.

1959. Were there a number of freemen present?—Yes.

1960. Did Mr. Pike bring anything with him on one occasion?—Yes; on one occasion he brought an oil painting of King William the Third, which he made a present of to them.

1961. Were they satisfied with that present?—Some were satisfied, and some were not.

1962. Did it stop the grumbling?—No, it did not.

1963. What did the grumblers say when he presented the picture?—There were different expressions of discontent made use of.

1964. Did

1964. Did any one say, in your hearing, "That is not what we want"?—I rather think that they did.

1965. Was there a general expression of dissatisfaction?—Certainly there were, but I could not recollect the exact words.

1966. Try and remember?—There were some odd expressions of dissatisfaction from individuals in the room, such as, "That is not what we wanted;" they required the promise to be fulfilled; but I could not tell exactly what was said; some of them said, "What night will the promise be fulfilled?"

1967. What was said in reference to that?—One or two of the members said that there should be some understanding with Mr. Lilley as to what definite day the matter should be settled.

1968. Did any one try to throw oil upon the troubled waters?—They had very little faith in Mr. Lilley.

1969. How long after the election was this?—From three to five weeks.

Cross-examined by Mr. *Rodwell.*

1970. Are you a brother of the witness, who was called the other day, of the name of Brown?—Yes.

1971. I believe he is a person who, as long as he conducts himself properly, can earn a good salary?—Yes.

1972. He is one of the best writers in Dublin?—Yes; he was for seven years in the office of one of the Masters in Chancery.

1973. Was any promise ever made to you of any sort?—No.

1974. Were you bribed?—No.

1975. Are you aware that you have been handed in as one of the persons bribed?—No, I am not.

1976. It has been suggested that you joined this society from some sinister motive; had you any view of getting one farthing from it?—I had not.

1977. You were at that time foreman in Messrs. Hutton's factory, and in receipt of large wages?—Yes, I was, of 150 *l.* a year.

1978. Were there other people at this meeting in similar circumstances?—Many of them were respectable working men.

1979. Do you know of any one having made any promise to a voter as regards his vote at this election?—No.

1980. Mr. *M'Donogh.*] You were not acquainted with any particular act of bribery?—No.

1981. But you were acquainted with the statement of Mr. Lilley as to these promises?—I was.

1982. Have you stated the truth as to that?—I have.

1983. Mr. *Rodwell.*] Were you present when Mr. Vance spoke?—I was present when he spoke at the Music Hall.

1984. *Chairman.*] Did you hear anything of a promise made by the Sitting Members to give 500 *l.* to the Freeman's school?—I did.

1985. What was that promise?—I think 500 *l.* was to be given by Messrs. Vance and Grogan if 500 *l.* could be collected on the part of the freemen.

1986. When was this promise made?—I think shortly after the election in 1852.

1987. Did you hear of any renewal of it previous to the last election?—Some of the speakers alluded to it at Ross-lane.

1988. Do you know the reason why it was not fulfilled?—I think it was in consequence of the freemen not being able to make up the 500 *l.*

1989. There was that condition attached to it in 1852?—Yes.

1990. Did you hear anything about that condition in 1857?—No, I did not.

1991. Between 1852 and 1857 had any steps been taken about this freeman's school?—No; I believe the freemen were not able to realise the 500 *l.*

1992. Did you hear of any promise to give 500 *l.* in the event of the freemen not subscribing?—I did not.

1993. Do you know whether the Ross-lane room was used as a committee-room?—It was.

Mr. *Rodwell.*] I am ready to admit that it was hired from the 20th of March until the close of the poll, which would include the evening of Monday.

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1994. *Committee.*] Why did you leave your employment in Dublin?—A son of Mr. Hutton's came from Australia, and they were making different arrangements.

1995. You are in no employment at present?—No; but I am engaged upon ornamental carving while waiting for employment.

1996. Were you served this morning with a Speaker's warrant?—I was.

1997. Was that the first you heard of coming here to give evidence?—Yes, it was.

Mr. *Joshua Porter Conway*, sworn; Examined by Mr. *M'Donogh*.

Mr. *J. P. Conway.*

1998. ARE you a freeman of Dublin?—I am.

1999. Were you a member of the Ross-lane Society at the time of the election?—No, I became a member subsequently.

2000. What is your business?—I was engaged in business extensively, but I am not now.

2001. In what business?—In the gunpowder and the seed business.

2002. What did you do during the last election?—The city was divided into wards, and there was a tally-room taken for each ward, and I was placed there.

2003. On whose behalf?—On behalf of Vance and Grogan.

2004. Were you a tally clerk?—No; I used to make out lists for messengers to bring up voters.

2005. Who employed you?—I think Mr. Gibson.

2006. Do you know Mr. Bramston Smith?—Yes; I think I saw him in the lobby to-day.

2007. Was he on the committee of Vance and Grogan?—I do not know.

2008. After the election did you attend the meetings of the Ross-lane Society?—I did.

2009. Were you there on or about the 12th of May?—I cannot give you the date.

2010. How soon after the 30th of March did you become a member?—Within a month.

2011. Did you attend the meetings after that?—I did, most of them.

2012. Do you know John Lilley?—Yes.

2013. Do you remember a meeting in May at which he was present?—I saw him present at several meetings.

2014. Do you remember Mr. Lilley being present at any meeting, and saying anything about the Dublin election petition?—In general there was not a meeting that there was not some talk about it; I couldn't tell what occurred.

2015. *Chairman.*] Tell us as accurately as you can what took place about the petition?—It was mentioned that there was a petition to be presented, and that there was a certain time for presenting it; some people said it was so many days after Parliament was summoned; others that it was so many days after the Queen's speech was delivered: it is impossible I can remember it.

2016. Try and recollect?—It is a long time ago, and I had no idea I should ever be brought here.

2017. Just think about it; what did they say about the petition?—I cannot charge my memory with a desultory conversation.

2018. Was anything said about promises?—There was; I think, as well as I recollect, Mr. Lilley said that the promises made to the freemen should be kept.

2019. What led to his saying that?—There was some dissatisfaction amongst certain classes of freemen.

2020. What was the dissatisfaction about?—There was dissatisfaction expressed by them that they were not settled with, or something to that effect.

2021. Something was said about the election petition; how did that come out?—I do not know.

2022. The freemen complained that they were not settled with, and Mr. Lilley said the promises should be fulfilled; what had that to do with the petition?—I do not know.

2023. *Committee.*] Was any period fixed for fulfilling these promises?—There was; that until the time elapsed for presenting the petition nothing could be done, and there was some discussion as to the exact time; I think 14 days were mentioned.

2024. What

2024. What did the freemen say; what did they cry or shout out about?—I do not recollect their shouting out anything.

2025. Did they make speeches?—Some of them did.

2026. Tell us who spoke?—I did not; no more than a dozen of them; there was Mr. Pike, a very respectable solicitor, there.

2027. Did he speak?—I think he did.

2028. What did he say?—I cannot charge my memory; there was not much time for them from eight till ten.

2029. Cannot you recollect what any one freeman said about the promises?—Indeed I cannot; sometimes there will be a dozen speaking at once.

2030. What did they say then?—That would be hard for me to say.

2031. Mr. *M'Donogh.*] Cannot you mention what was said when they spoke of not being settled with?—There seemed to be a general feeling of dissatisfaction.

2032. Was it in reference to their voting?—Yes; certainly, I should say so; I always voted for the Conservatives, and I always will; if you had sent me a written paper telling me what you were going to ask me, I should have been prepared, but I was never in such an awful position as to be before a Committee of the British House of Commons before, and it is impossible for me to recollect what occurred.

2033. Tell us what any of these people said when expressing their dissatisfaction?—They said that Mr. Lilley had made them a promise; whether for employment, or how it was, I cannot tell; but he had not fulfilled this promise; then I think Mr. Pike said, amongst other parties, that until the time elapsed for lodging the petition matters should rest as they were.

2034. *Chairman.*] Were they satisfied with that?—There was grumbling at it.

2035. *Committee.*] Did you gather at any of these meetings what the promises were which had been made to the freemen?—I believe getting money; I was not by when the promise was made.

2036. Of money to be given for what?—For voting, of course.

2037. Mr. *M'Donogh.*] Let me coax you to tell us the facts?—I am telling you as well as I can.

2038. Several of them alluded to these promises of Lilley?—Yes; that seemed to be the general matter of talk in the room.

2039. That was the subject of discussion with Lilley?—Not with Lilley; between themselves; then it was said nothing could be done until the time expired for lodging the petition.

2040. That was after they had expressed their dissatisfaction?—Yes.

2041. Did similar occurrences happen at other meetings?—Yes; Mr. Lilley was not there very often.

2042. Whenever he was there, was there this species of grumbling going on?—Yes; the men were dissatisfied, and Mr. Lilley was striving to quiet them.

2043. Did Mr. Lilley say anything to quiet them on any other occasion but this?—No further than this, that the promises made to the freemen should be fulfilled.

2044. Did Mr. Lilley say anything about the time for presenting the petition?—He said that nothing could be done until after the time had expired for the petition to be presented.

2045. Was this at the same time that he said the promises should be fulfilled?—I should say it was. I do not think I saw Lilley more than three or four times.

Cross-examined by Mr. *Rodwell.*

2046. Who bribed you, may I ask?—It would be very hard for me to tell.

2047. Are you aware that they have charged you with being bribed?—Is that in your instructions?

2048. The other side have charged you with being bribed?—If they have done so they have done what was wrong; they know very well I got no bribe, and I would take no bribe.

2049. You are charged with having been bribed by Lilley, Downes, Benson, or the Ross-lane Society; have you been bribed by any of these?—I have not.

2050. *Committee.*] Are you a householder in Dublin?—I live outside the city boundary. My son pays the rent of the house.

2051. Are there many of these freemen who are very poor people?—They are the

Mr. *J. P. Conway.*

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the most extraordinary class of men in existence. There are some of the first merchants, bankers, lawyers, judges in Dublin, freemen, and they go step by step to the lowest grade. Mr. Latouche is a freeman; Mr. Guiness is a freeman; one of the Sitting Members is a freeman.

2052. How many are there of the lowest grade?—I should think there are not more than 500 who could not register as 8*l.* householders.

2053. How many freemen are there?—Nearly 3,000.

2054. As to the 500 who could not register, what sort of people would they be?—Many of them are very respectable. Some hold situations as clerks in banks, and some are respectable tradesmen; persons earning 2*l.* or 3*l.* a week.

2055. How many are to be classed as paupers?—I think there are not more than 500 on the voters' list, who could not register either as householders, leaseholders, or freeholders.

2056. How many of those people, at the Ross-lane meeting, were in indigent circumstances?—I cannot tell you. I never saw above 80 of them at any meeting there.

2057. How many at any meeting appeared to be people in very humble circumstances?—I really cannot say.

2058. Were there many of them of an humble class?—Some of them appeared to be workmen, and some appeared to be master men.

John Wynne, sworn; Examined by Mr. *Coffey*.

John Wynne.

2059. WHERE do you reside in Dublin?—No. 11, Ross-lane.

2060. Are you a freeman of the city?—I am.

2061. What are you by trade?—A slater and bricklayer.

2062. Do you recollect the last election for Dublin?—I do.

2063. How were the rooms at No. 11, Ross-lane, used a week before the election?—The society met there.

2064. Were they used as a committee-room for Grogan and Vance?—I believe they were, one or two nights. My wife cleans the rooms.

2065. Are you in their employment at present?—I am not. We get a room free for the workpeople. My wife does for the house.

2066. Do you prepare the rooms for the meetings of the society?—My wife does.

2067. Did you see what was going on yourself?—Very likely I might pass up and down there.

2068. Did you do so the week previous to the election?—I did, now and again, according as my business would require me.

2069. How long has your wife had charge of these rooms?—We were the first that went into the house.

2070. How long ago is that?—Between three and four years.

2071. The society meet every Tuesday evening?—Yes.

2072. How many members attended the meetings six months ago?—Sometimes there might be 30, or more; sometimes not more than 15 or 16.

2073. And sometimes as few as five or six?—Exactly so.

2074. A year ago were there more than five or six on a Tuesday evening?—Not many more. When there was a strong meeting there would be from 22 to 26.

2075. Five or six was the lowest, and the highest would be 22 a year ago?—You may take that as the average.

2076. Twenty-two, you say, was a strong meeting?—Yes, it was.

2077. Three weeks before the election the members had increased?—Of course they had.

2078. The meetings became crowded, I suppose?—I did not see any crowded house until a week before the election.

2079. Might it be a fortnight?—Yes, more or less.

2080. Was it about that?—Something about that, seven or eight days.

2081. How many members each evening were there a fortnight before the election?—I cannot tell.

2082. Give us the best idea you can?—The rooms are not calculated to hold more than 30 people if they were filled, unless they stand next door to each other.

2083. Supposing

2083. Supposing they were crowded as close as could be, would they hold 70 or 80?—If there were some out in the lobby.

2084. If there were some out in the lobby, would it hold 80 people?—I do not think it would.

2085. How many rooms are there which are used by the society?—It is all one room; there are folding doors, and there are some large chairs, and two large tables, which take up a great deal of the room.

2086. Are you a freeman?—Yes.

2087. Did you attend these meetings yourself?—I did, many of them.

2088. Do you know John Lilley?—I do.

2089. Was he the president?—He was.

2090. Did you see him often at these meetings?—Yes, he was there many times, and he was sometimes away from them.

2091. How often did you see him there?—I believe he was there one night.

2092. Was that a Friday night?—I cannot say.

2093. Was he there more evenings than that one evening before the polling day?—I cannot say.

2094. Had you not a meeting there every evening of the previous week?—I believe there was a committee meeting.

2095. Every evening?—There were a couple of committee meetings there.

2096. Were you there?—I was not present; I had nothing to do with the committee; my business was in the hall.

2097. You saw that the right people went up?—Just so.

2098. Did you see Mr. Little pass up?—He might have passed up 20 times without my noticing him.

2099. *Chairman.*] Did you see Mr. Little in that week?—Of course I did; I cannot say what day.

2100. You saw him on more than one occasion?—Occasionally I saw the men going into the house.

2101. Mr. *Coffey.*] Did you attend the meeting at the Music Hall?—I did.

2102. How much money did you get for going there?—None.

2103. Not a farthing?—Not a farthing.

2104. Are you sure of that?—I am sure of it.

2105. Did you go to the nomination?—No.

2106. Who went with you to the Music Hall?—I do not remember.

2107. How many of your party went there?—I am one of those who seldom go with more than one.

2108. How many were with you on that occasion?—There might have been a few friends belonging to the society.

2109. Did you leave the society's room to go to that meeting?—No, not on purpose; I left my own apartments.

2110. How many persons went with you?—I could not answer that question.

2111. Were there as many as 50?—Not half as many.

2112. Were there as many as 20?—I cannot say; there was only another man and myself left the house.

2113. Where did you and that other man go after the meeting broke up?—I cannot say.

2114. Did you go to a public-house and get a drink?—I cannot say.

2115. Do not you know that you did?—I think not; I went to my own apartments.

2116. Had you something to drink there?—Not that night.

2117. Did your friend go back with you?—Yes.

2118. What was his name?—George Wade; he lives in the same house.

2119. Did you see Burgess at that meeting?—I did.

2120. Were you there when the list was made out by Benson and Farrel of the men who were to go to the Music Hall?—I was not; they never let me know anything about their business.

2121. Did they close the door on you?—Any one not on the committee would be ordered down stairs.

2122. Is Wade a freeman?—He is.

2123. Did you and he vote together?—No; I went myself.

2124. After the election was over, did you see Mr. Lilley take the chair at a meeting in Ross-lane?—I cannot say whether he did or not.

 2125. Do

John Wynne.

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2125. Do you recollect his being there two or three weeks after the election? —He was; on some nights he was not there.

2126. What did he say on the evenings that he was there?—That I cannot say.

2127. Did he say anything?—Not anything in my hearing.

2128. Were you there the whole of the meeting?—My business was not in the room; I was up and down minding the house.

2129. Did you attend to what was going on?—I sometimes might hear a word, but I never stopped three minutes in the room; my business was to keep strangers and stragglers out.

2130. Are those people who are not freemen?—People who are kicking up a noise about the door, which they very often do.

Cross-examined by Mr. *Rodwell.*

2131. Who bribed you?—I was not bribed at all.

2132. You are down as having been bribed?—I have not been bribed; the society owes me a debt.

2133. But you are put down here as having been bribed?—I was not.

2134. Mr. *Coffey.*] Were you paid anything for what you did during the election through the auditor?—I was not; my wife was paid something.

2135. You got no money from Forster-place?—No, I did not.

2136. No money whatever?—No; I was not employed even as an agent.

John Reed, sworn; Examined by Mr. *M'Donogh.*

John Reed.

2137. IS your father a freeman of Dublin?—No.

2138. What is your business?—A law messenger.

2139. Were you employed on the occasion of the last election?—I was.

2140. By whom?—By John Lilley.

2141. What to do?—I was first employed to attend the Court-house on the day of nomination, and after that to bring up voters.

2142. Were you paid for going to the Court-house on the day of nomination? —Yes.

2143. How much?—Three shillings.

2144. Who paid you?—I think Mr. Benson handed it to me.

2145. Did you see him pay other people?—I did.

2146. Did you see him paying some of those people who were freemen who attended?—Yes, some had 2 *s.* 6 *d.*, and some had 3 *s.*

2147. Do you know Jason Bacchus?—I do.

2148. Do you know Barlow?—I have seen him.

2149. Was he one of the parties who were paid?—I do not know.

2150. Barlow —— ?—I cannot say.

2151. Henry Edward Brown; was he paid?—I think he was; but I am not certain I know Brown.

2152. Do you know Burgess?—No.

2153. Tell us the freemen you remember to have seen paid for attending the nomination?—I remember a man of the name of Curtis being paid.

2154. Do you remember anybody else?—I cannot bring to mind anybody; there were several of us paid at the same time.

2155. By Mr. Benson?—Yes.

2156. Had he a list in his hand?—Yes, he had a list in his hand.

Mr. *M'Donogh.*] Will the gentlemen on the other side produce that?

Mr. *O'Malley.*] Certainly not; I never heard of such an application before.

2157. Mr. *M'Donogh.*] Do you know of any other freemen who were paid? —I think a man of the name of Hammond was paid.

2158. Any one else?—I know there was a lot of us there that day; we went back, and got paid.

2159. Where were you paid?—In the committee-rooms in Ross-lane.

2160. Is Mr. Benson here?—He is.

2161. Do you remember attending the Music Hall at a meeting?—Yes, I do.

2162. Were you paid for attending there?—Not by the committee in Ross-lane, but by a different party in Abbey-street at the office there.

2163. Kept

John Reed.

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2163. Kept by whom?—It is called the Dublin Protestant Association Office.

2164. How much did you get there?—Two shillings and sixpence.

2165. Did you see freemen paid there?—Yes, I did; they were paid by Mr. Furlong, the secretary of the Association.

2166. How many freemen attended the nomination whom you saw paid in Ross-lane?—I should think there were 30 in all.

2167. How many freemen attended at the Music Hall that you say paid?—There were a number attended; but I did not see more than one or two paid. Mr. Furlong paid me 5 *s.*; 2 *s.* 6 *d.* for Rogers, and 2 *s.* 6 *d.* for myself.

2168. Were you paid for your attendance on the day of polling?—I was, with very great difficulty.

2169. What business did you do on the day of polling?—I went to a number of persons' houses to bring them up; Bush and I.

2170. Who was it paid you?—It was by the order of Mr. Cusack that I was paid; although Lilley got the money, and denied it, and kept it.

2171. Where were you paid?—I was paid in Forster's-place.

2172. Was it Lilley who employed you?—It was.

2173. How much were you paid?—Thirteen shillings and tenpence.

2174. Did you go to Mr. Cusack, and make a complaint to him?—I did.

2175. What did you say to him?—I could not get it from Lilley, and I went to Mr. Cusack, and he asked me who employed me; I told him Lilley, and he told me to get a document from Lilley to certify that I had been employed, and to come there again. He said, "I do not know what I can do for you; you ought to go to Lilley, for he has been after getting 28 *l.* here."

2176. When was this?—After the election.

2177. How long after?—Ten days after.

2178. Did you apply to Mr. Gibson on the subject?—No, never.

2179. Do you know a man of the name of Bush?—I do.

2180. Do you know Benjamin Rogers?—I do.

2181. On the day of the election did you and Bush go to Rogers?—We did.

2182. Who sent you?—I do not know that any one sent us in particular; I know we came out of the committee-room.

2183. Out of what committee-room?—In Ross-lane.

2184. What took you to Rogers's?—To do something to enable him to go and vote.

2185. Did you get any duplicates there?—Yes.

2186. What was done with the duplicates?—There were some matters released for him.

2187. Who released them?—I did not go; I think Bush went.

2188. Did you ever see them brought back?—I saw the things brought back.

2189. Do you know Downes?—I do.

2190. Did you get a coat there that day?—The day before, I think.

2191. To whom did you bring the coat?—I brought it to Rogers.

2192. And gave it to him?—I did.

2193. Did any one desire you to go with Bush?—I got no directions; I went voluntarily.

2194. *Chairman.*] Are you not a voter?—No.

2195. Who told you to go to the nomination?—John Lilley.

2196. Who told you to go to the Music Hall?—Mr. Furlong.

2197. Who paid you for going to the nomination?—Mr. Benson.

2198. Were there others with you?—Several.

2199. Was there one general order given to you all?—Yes, there was.

2200. What did they tell you to do?—We were desired, as soon as the court-house was opened, to rush in, and get the best seats we could.

2201. What else?—We were to keep down the others, and shout for Grogan and Vance as loud as we could; and I had a sore throat after it.

2202. *Chairman.*] Did you get the 2 *s.* 6 *d.* before that, or afterwards?—Afterwards.

2203. When you got the order was any thing said about paying you?—I think not; of course we all expected it.

2204. Who told you to go to the Music Hall?—Mr. Furlong.

2205. What were you told to do there?—We were told to go to different places; some were door-keepers, and others to see that order was kept.

Mr. *M'Donogh.*] I am about to apply for a Speaker's warrant, to apprehend a Witness who cannot be found; I will give some evidence upon the subject.

Mr. *M. Loughrey.*

Mr. *Michael Loughrey*, sworn; Examined by Mr. *M'Donogh.*

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2206. HAVE you served a Speaker's warrant upon a man of the name of Strong?—I have.

2207. What is his Christian name?—George.

2208. Where was it that you served him?—In the South Dublin Union Workhouse.

2209. Was he a pauper there?—He was.

2210. At the time of the service did you give him any thing for his expenses?—I gave him a return ticket to bring him here and take him back, and two sovereigns.

2211. Have you seen him in this city?—Yes; I saw him twice here in attendance on Friday.

2212. Was he here on Saturday?—I never saw him after Friday.

2213. Have you searched for him?—I have searched for him where the witnesses are kept, and I have inquired amongst the other witnesses, but I have heard no tidings since Friday night.

Mr. *Richard Thompson*, sworn; Examined by Mr. *M'Donogh.*

Mr. *R. Thompson.*

2214. HAVE you made search after the witness Strong?—I have.

2215. When did you last see him?—I never saw him at all, to my knowledge; he never reported himself to me.

2216. Have you searched for him?—Yes, I have; and I have found a pocket handkerchief containing a shirt, which I believe belongs to him.

2217. Where did he leave those articles?—At a coffee-shop in Cannon-row; from what I can learn he went away for fear of being seen.

Mr. *Richard Tudor*, sworn; Examined by Mr. *M'Donogh.*

Mr. *R. Tudor.*

2218. ARE you a Barrister in Dublin?—I am.

2219. Were you the election auditor in this election?—I was.

2220. Have you detailed accounts which form the groundwork of this account?—I have; the books which are the foundation of the general account, they are not here, they are on their way here.

2221. Have you come from the south of Ireland?—I was served with a Speaker's warrant at six o'clock on Saturday evening, at the lakes of Killarney, and I came away immediately, thinking it my duty to do so; but when I arrived in Dublin, being Sunday, the house was shut up, and I was not able to get the book.

2222. Are the accounts coming?—I believe they are on their way here.

2223. Did you direct a clerk to take a copy?—I remember a request being made on behalf of the petitioners for liberty to take a copy of the accounts, and I acquiesced in it.

2224. *Committee.*] Is that a copy of the account that was delivered to you by the Sitting Members?—I have not the least notion of that; I believe this is a copy made by a clerk of the petitioners; the accounts consist of many hundred items, some five or six hundred. I have no doubt that is a copy, but of course I cannot speak positively.

Mr. *M'Donogh.*] Then we must call you again to-morrow?

Mr. *O'Malley.*] Are we to understand that all the cases of bribery are called, with the exception of the witness Strong?

Mr. *M'Donogh* said that between this and to-morrow he would consult with his learned friends as to whether they would call on other evidence upon the case of bribery.

Chairman.] We shall expect that you will finish your case of bribery to-morrow.

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 4° die Augusti, 1857.

THOMAS EMERSON HEADLAM, Esq., M.P., IN THE CHAIR.

4 August 1857.

Chairman.] What course do the Counsel for the Petitioner propose to take?

Mr. *M'Donogh.*] We propose to proceed with the examination of the witnesses in confirmation of the cases of bribery; then to call the election auditor, reserving to ourselves the case of George Strong. After that we shall proceed to the case of treating, and then we have to apply to the Committee in reference to two persons of the name of Lewis Wilson and Anthony Palmer, who are now on their way from Dublin, whom we believe to be important witnesses.

Mr. *William Brown*, sworn; Examined by Mr. *M'Donogh.*

Mr. *W. Brown.*

2225. WHERE do you reside?—At 50, Patrick-street, Dublin.
2226. What is your business?—A Vintner.
2227. Do you know a person of the name of Michael Byrne?—Yes.
2228. Do you remember having seen Byrne after the last election?—I do.
2229. Did Byrne lend you some money after the last election?—About the time of the election he did.
2230. How much did he lend you?—A pound.
2231. What was it?—A pound note.
2232. Did you repay Michael Byrne that pound note?—I did.
2233. How did you repay him?—Partly in money, partly in goods.
2234. Goods in which you dealt as a vintner?—Yes.

Cross-examined by Mr. *Slade.*

2235. Is Byrne a man who is a touter at police offices?—He is a man who writes occasionally for parties.
2236. Gets cases up hanging about police offices?—Any case that he gets he attends to as a clerk.
2237. Does he serve processes and such like?—I cannot say.
2238. How came he to lend you a pound?—He had the money and lent it to me.
2239. Did he ever lend you money before?—I cannot say he did.
2240. What did you give him in goods?—Drink.
2241. How much?—I cannot exactly say; I paid it back in money and drink.
2242. Was there more money or more drink?—I really could not swear that; I paid it him by instalments.
2243. What was it, whisky?—Whisky and porter.
2244. How much porter?—I could not say?
2245. Was there any porter?—Yes.
2246. You are quite certain of that?—I am.
2247. How much?—The man occasionally came, and he might call for a glass of porter, or treat a friend or two; I am sure he drank porter.
2248. And treated a friend or two?—Yes, he might.
2249. Did he?—I am sure he did.
2250. Was this after he had borrowed the pound?—It was after that.
2251. Did he treat more than one friend?—He did.
2252. How many friends did he treat?—I could not say that; he came in day after day.
2253. Are you sure there were not three or four friends?—I cannot say how many.
2254. Were there more than two?—There might be.
2255. You know there were; I will not swear; there might be.
2256. You say there might be?—There might be.

Mr. *W. Brown.*

4 August 1857.

2257. Did he bring these two or three people into your spirit store?—He is a man whose business lies down the town, and he passes my house to go to his business.

2258. Did he and his friends drink out the best part of this pound at your store?—I do not think he did.

2259. He brought in friends accidentally?—He might meet them at my place; neighbours.

2260. And it was put down to his score?—Yes; if he did not pay me, I put it down.

2261. Did he drink the whisky?—I do not think he is a man in the habit of drinking whisky.

2262. Did he drink it at the store, or take it away?—He drank it at the store.

2263. You are sure he did not take it away with him?—I am quite sure.

2264. How much did you pay him in money?—I might say about half.

2265. Ten shillings?—Yes.

2266. When did you pay that?—A short time after the election.

2267. How shortly?—A fortnight, or perhaps three weeks.

2268. Mr. *M'Donogh.*] You knew this man was a clerk?—Yes.

2269. And you repaid him the money?—Yes.

2270. *Chairman.*] Is Michael Byrne a friend of yours?—I have known him for years.

2271. What does he usually do?—If he gets writing to do, he does it.

2272. Does he often come to your house?—He does; he draws up memorials, and things of that kind.

2273. Does he often bring friends with him?—Yes, he does.

2274. Has he often an account with you?—He has.

2275. How came you to ask him to lend you a pound?—I wanted money at the time.

2276. Has he often money to spare?—Not very often.

2277. Has he ever run up an account with you before?—He has a small account.

2278. Have you had any difficulty in getting it from him?—I have not.

2279. *Committee.*] Did you borrow the money from him, or did he offer it you?—I borrowed it of him.

2280. You thought it best to start with a little in hand?—I thought it best to have something.

2281. *Chairman.*] What made you think he had money at this time?—To tell you the plain truth, I thought there was some money going at that time; to tell you the truth, I thought he was after getting money for his vote.

2282. Was this before or after the election?—It was about the time of the election; it might be a day or two after or before.

2283. When did you see him last?—I saw him outside.

2284. Have you had a talk with him?—I have.

2285. *Committee.*] When were you summoned to give evidence?—In Dublin last, on Friday.

2286. Are you sure he did not take the spirits away with him?—He did not.

2287. When were you asked about what evidence you could give?—Not till I came here.

2288. Did no one ask you before you were summoned what evidence you could give?—Yes.

2289. How long before?—On that day, the Friday.

2290. At what o'clock?—I think about three o'clock.

2291. Mr. *M'Donogh.*] Did Byrne take a bottle of porter from your house in part payment?—I do not think he did.

2292. Are you able to say positively?—I think I am; he did not.

2293. Was he ever in the habit of taking porter away?—He was not; he takes a glass of porter, and no more, at a time.

Mr. *Thomas Benson,* sworn; Examined by Mr. *M'Donogh.*

Mr. *T. Benson.*

2294. ARE you the Secretary of the Ross-lane Society?—Yes; I am merely acting as such at present.

2295. Are you the treasurer?—Yes.

2296. You

2296. You have been served with a *duces tecum* to produce the list of persons who were paid for attending from Ross-lane on the nomination day?—It is not merely a list; I have a notice to produce all documents, books, papers, and every thing from the commencement of the society to the present time.

2297. Will you produce those lists?—They are outside in a bag.

2298. Bring them in?—I have not a particular list of them. There is merely a pencil list of 56 names who received 2*d.* 6*d.* for their attendance as a protection on the day of nomination in Green-street. I did not make out any particular list.

2299. Will you produce the list of these 56 persons who received payment on the day of nomination?—These are the names with a pencil mark.

2300. *Committee.*] Did these persons receive a uniform sum?—They did.

2301. How much?—Two shillings and sixpence.

2302. Who wrote these names?—I wrote these names.

2303. Mr. *M'Donogh.*] Were these freemen or not?—Some are not.

2304. Are the majority?—They are.

2305. Did any one receive more than 2*s.* 6*d.*?—They did not.

2306. When did you make that list?—At that time, on the spot, as they got the 2*s.* 6*d.*

2307. Do you know Lilley?—I do.

2308. Was he present on that occasion?—Occasionally he was backwards and forwards.

2309. He is the president of that society?—He is.

2310. Where did you get the money to pay them?—I brought it from my house. I paid them out of my pocket.

2311. How did it come into your house?—They were the ordinary subscriptions of the society. They came into my hands as treasurer.

2312. Had you been in the habit of lodging the money in any bank?—The money that was not likely to be needed.

2313. What bank?—The Royal Bank, Forster-place.

2314. Did you draw any money out of the bank shortly before the election?—Ten pounds.

2315. How many days before the election?—It was immediately before; I knew I would need it; it was in that week.

2316. That you would require the money in the progress of the election?—I did not say that.

2317. What did you mean by saying you knew you would need it?—The society had passed a resolution that they would call meetings in the neighbourhood where the society was first formed, and that I should pay any necessary expenses that might be incurred at them. It was at Janes', in Chamber-street. On the authority of that resolution I prepared myself for any little expenses that might occur.

2318. *Chairman.*] Was that resolution in writing?—It was.

2319. Mr. *M'Donogh.*] Have you the original resolution here?—It is in the minute book.

2320. Have you the original?—I do not think I have; it was entered in the minute-book.

2321. Read it?—This resolution was to have been proposed by Mr. Traill. "On the motion of William Traill, agreed, that the treasurer be empowered to call meetings of members in the course of the ensuing week at the house of Mr. Janes, and defray any necessary expenses incurred."

2322. What is the date of that resolution?—The 24th of March.

2323. *Committee.*] What is the paper that you have there?—It proves who it was that proposed the resolution.

2324. Was that a memorandum kept in the book?—I placed it in the book, because I did not know who was the proposer or seconder.

2325. How lately has that been done?—Two or three days.

2326. Is what you have written in it true?—It is.

2327. Mr. *M'Donogh.*] Does the book record that it was on the motion of Mr. Traill?—Yes.

2328. Is Janes' a public-house?—It is.

2329. Was the money that you paid to these 56 men a portion of this 10 *l.*?—Well, I had more money in my pocket besides.

2330. Was it taken out of the 10 *l.* that you drew out of the bank?—It was

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taken out of the society's money; I might have had more than 20 *l.* in my pocket when I drew out this 10 *l.*

2331. Did you pay the current expenses out of that?—Yes.

2332. Did you pay 2 *s.* 6 *d.* to each of these people out of that?—I might have had 20 *l.* in my pocket when I put it there.

2333. Did you pay the 2 *s.* 6 *d.* out of this 10 *l.*?—I should say I did, either that or the other; I mixed them altogether.

2334. Was Lilley present when the resolution was passed to draw this money out of the society?—Yes; he was present at the society, and in the chair during the meeting; but there was a second meeting; the public generally withdrew, and the members remained by themselves, then the chairman was changed; he was not the chairman, but he was present.

2335. At the general meeting, which was a public one?—The resolution was not passed until the public retired.

2336. Another person took the chair, and then this resolution was passed?—Yes.

2337. Was Lilley present?—Yes.

2338. How many members were there besides?—Thirty or 40, perhaps 50.

2339. The public at large were directed to withdraw?—They had withdrawn.

2340. Were they ordered to withdraw?—No, the meeting was closed.

2341. After that, was the door closed?—No.

2342. After the meeting was closed, this special meeting was taken up?—The members of the society stopped behind.

2343. And passed this resolution?—Yes.

2344. Are these names alphabetically arranged?—No; they were merely taken at random, as I was walking about the room.

2345. Did you expend the whole of this 10 *l.*?—Yes.

2346. Did you draw any further sum out of the bank?—No, I did not.

2347. Are you sure of that?—Quite sure.

2348. How much beyond this 10 *l.* of the society's money had you in your possession?—I should say I had more than 10 *l.* more.

2349. Did you also expend that 10 *l.*?—The nearest knowledge I can give you of it is that I spent to the amount of about 17 *l.* 16 *s.*, or some odd shillings.

2350. How much of that did you pay to Janes, in Chamber-street?—I think it amounted to about 5 *l.* 12 *s.* altogether.

2351. Was that for drink?—It was.

2352. Were you present at these meetings after the election in Ross-lane?—Yes; I should think at all.

2353. Did you see Mr. Joshua Conway there?—I did.

2354. Did you see Hassett there?—I did.

2355. Did you see Tighe there?—I do not know; I am satisfied of Conway and Hassett.

2356. Did you see Rogers there?—I cannot tell who was present at any particular meeting.

2357. Do you remember Mr. Lilley having been spoken to at any of these meetings by the freemen who were present in reference to any promises?—I do not remember his being addressed specially on that subject by any particular person.

2358. Did any of the freemen at these meetings say anything in the hearing of Mr. Lilley on the subject of promises? (*The Witness hesitated.*) I will sit down until you are ready to answer.

2359. *Chairman.*] I think you must recollect that?—No one, specially.

2360. The question is not asked specially?—I cannot bring to mind any particular person; they might have done so.

2361. The question is not asked as to any particular person?—I could not name any particular person.

2362. Mr. *M'Donogh.*] Did any one of the freemen at these meetings say anything about this?—I do not recollect any one asking him publicly.

2363. *Committee.*] How was it, then; did they all shout out at once that they had not been paid?—That seemed to be a general opinion; I have heard them talking in that way, and they might have spoken to Mr. Lilley a dozen times without my knowing anything about it.

2364. Mr. *M'Donogh.*] Did you hear anything said by any one at that meeting

meeting to Lilley, or in his hearing in reference to promises?—I cannot name any persons except there was a good deal of talk about it.

2365. Did you hear the general talk about it?—I heard it in several places; in different parts of the room occasionally; but I could not name any particular persons now.

2366. Was it the general subject of conversation?—No; a desultory conversation.

2367. Did you hear Lilley say anything in reference to these promises?—Yes.

2368. Did you hear him say anything in reference to these promises in connexion with the lodging of the Dublin Election Petition?—I heard him telling them he should not expect to hear any talk of that kind to go on while the petition was pending; that they should be very guarded in any answers they would make to any person who asked them any question, and especially requesting that they would be guarded in any answer they gave to any persons asking them questions in the streets, and not be spreading reports that were not true.

2369. When the people remonstrated and spoke of the promise, did Lilley say anything about the fulfilment of the promise?—I never heard any one publicly remonstrate with him about it; I do not think any one would take on him to do so.

2370. I want you to speak the truth. Did you hear any one in that room talk to Lilley about the fulfilment of the promises?—No; I heard him say that any thing he had said he would abide by, and see it fulfilled.

2371. Did he not say he would fulfil any promise that he had made?—I think it was on the very same night that he publicly stated, "When this is over we will get a good dinner."

2372. You mean the election petition?—No; the election; the general confusion that was about.

2373. Are you speaking now of a time before the election?—I was not specially to any particular meeting.

2374. *Chairman.*] What do you mean by saying, "When this was over"?—I think it was the election, that he promised when the election was all over, we would have a good dinner.

2375. Mr. *M'Donogh.*] Was this before the election?—I think it was; I think the promise of the dinner was of an earlier date; it occurs to me that on one occasion one of the members was calling out, "When are you going to get this dinner?" and he said he would fulfil any promise he had made.

2376. You think this promise of a dinner was at an earlier period than you have spoken of?—Yes.

2377. How long before the election was this promise of the dinner?—I should think during that week, at some of the meetings of the society.

2378. Tell us all he said when he promised them a dinner?—"We will get a good dinner when this is over." That was the expression; and he turned round to me and said I should help him out with it, I would not oppose it.

2379. You did not?—It was never got.

2380. You did not oppose him that night?—I did. I checked him very much for making any promise about it, and said he would not be able to fulfil it, and he said he had a promise from two gentlemen of giving a pound each towards paying the expenses of it.

2381. Do you remember, at these meetings before the election, or any other meeting, anything being said in reference to what would be "going" at the election?—Nothing; unless you would call it a desultory conversation; some expecting, and such like.

2382. At any meeting of the society before the election had Mr. Lilley been in the room; tell us any desultory conversation which then occurred in relation to what was to be "going" at the election?—The ordinary course of the meeting was this, some were sitting reading, others were talking; the whole room was quite at their freedom, like a social party; some would be talking in the way of conversation, and I could not by possibility remember with exactness any conversation that might occur.

2383. Tell us in substance what was said by any member in the hearing of Lilley, as to what was to be going at the election?—I could not go back in memory to anything of the kind; I never heard of anything going whatever; I had no connexion with it.

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2384. Did you not hear of it in conversation?—I heard of it in desultory conversation, inquiring whether there would be likely to be anything.

2385. Of whom were they inquiring?—Of one another.

2386. Did you hear them inquire that of Lilley?—Not especially.

2387. What do you mean by saying that so frequently?—I cannot point to any particular instance where they decidedly asked him any such question at all.

2388. Did you hear anything in the hearing of Lilley at all, in reference to what would be going at the election?—I did not. I decidedly say my belief is that I never heard a word or a question of the kind put to him. If there was a question of the kind put to him it would not be put in public, in my opinion.

2389. In any private conversation between Lilley and others did you hear it?—If it were private I could not hear it.

2390. Did you ever hear it talked over between any freeman and Lilley?—Not that I know of, it might have been, some of them have often asked myself the question; whether they asked them or not, I could not say. I never heard it asked publicly.

2391. Some asked yourself what would be going?—Would there be anything going at the election?

2392. Was the question frequently put to you?—It was, a good many times.

2393. How soon before the election were these inquiries put to you?—Generally through the week.

2394. Tell us in what language those inquiries were made of you by the freemen?—"Do you think, Mr. Benson, will there be anything going this time?"

2395. How often was that inquiry made of you during the week?—There might have been ten or a dozen asked me that question.

2396. Should you say as many as 20?—There might be 20.

2397. Will you say 40?—I should think not.

2398. What was your answer to the first man?—My answer all the way through was, I did not believe there would be a single farthing.

2399. That was the answer you gave?—That was the answer I gave, and I was quite sure they would never get it again, if they ever got it before. I told them my firm belief was that Mr. Grogan, nor any one else, would peril his seat in the House of Commons by again giving anything at all of the kind.

2400. That was the confident belief that you expressed?—Yes, it was my firm opinion and belief, and I never deceived one of them.

2401. Did you say you were confident no one would peril his seat by giving anything till the time for petitioning would be out?—No, nothing of the kind; that they never would get anything.

2402. Did you ever refer them to Lilley?—I did not.

2403. Did you before the election hear them applying to Lilley on the same subject?—I did not.

2404. The election was on a Monday, and there was a meeting on the Tuesday afterwards?—Yes.

2405. Was it on the Tuesday evening that the men first asked Mr. Lilley in reference to the promises?—I do not recollect any one in particular asking.

2406. Was it at the first meeting on the Tuesday that the freemen in general spoke of the promise to Mr. Lilley?—They did not do so.

2407. Not at all on the first night?—No, nor on any other night in my hearing.

2408. Not on the 31st March?—No.

2409. At what meeting did they first begin to ask Mr. Lilley in reference to these promises?—I do not know anything at all about any person asking him questions of that kind; I heard him one night express himself as if some one had been talking to him, and he said, "I suppose you expect me to say something?" and he said, "Any promises that I have made I will see that they are fulfilled;" there might have been 20 asking him about it, for aught I know.

2410. Was it at the meeting next after the 31st March that Lilley said, "any promises he had made should be fulfilled?"—I cannot prove exactly at what particular meeting I heard the words; it might have been the 7th of April.

2411. He said, "I suppose you expect me to say something?"—Yes.

2412. Then he said the promises should be fulfilled?—Yes.

2413. What

2413. What led to that statement by Mr. Lilley?—I suppose application had been made to him, was there anything going? the same as there had been to myself.

2414. *Chairman.*] He got up and made that statement without your having heard any remark made to him?—Yes; I believed him to mean that a great many had been asking him; and that it was to satisfy their expectations that he said this.

2415. But you did not hear anyone asking him?—No.

2416. Mr. *M'Donogh.*] Was it to keep them quiet?—They had been annoying him by putting questions to him.

2417. If you know they had been annoying him, cannot you state on your oath the substance of any of those questions?—No, not a single one; I have stated only my opinion that it was in expectancy of money.

2418. Have you any doubt of it?—I have not; that is my opinion, that they expected something.

2419. Have you any doubt that that is what they expressed?—I believe it was their expectation; but as to its being in his power to make any promise, I am sure he had none.

2420. Did he succeed in tranquillising them on this first occasion by his saying this?—He did not, indeed, nor on any other night.

2421. Were there other nights on which they again complained to him?—They might have applied to him 20 times.

2422. Did you not hear at a subsequent meeting Mr. Lilley addressing them to tranquillise them?—I could not point out any particular meeting.

2423. Did you ever hear Mr. Lilley again address the freemen in the manner you have stated?—No, I do not know whether he was there at all.

2424. Was Mr. Lilley present at the next meeting on the 14th of April?—He was not in the chair.

2425. Was he present?—I do not believe he was in the room that night.

2426. Are you able to swear positively whether he was or not?—I could not; I found another chairman and another steward.

2427. At the next meeting, the 21st of April, was Mr. Lilley there?—John Lilley in the chair.

2428. On the 21st, did the men again remonstrate and grumble?—Decidedly; they never did publicly there, nor anywhere else, that I could represent; they might have been like bees round him, for aught I know.

2429. Trying to extract the honey?—Yes.

2430. Were they crowding round him?—I did not see them; no one publicly asked him anything of the kind, I never heard it.

2431. You were there?—Yes.

2432. Did Mr. Lilley say anything to the freemen, on that occasion, with reference to promises?—I do not think he did; I do not recollect anything that he said.

2433. Will you swear that he did not?—No; if he did I would certainly feel it my duty to tell him that he was doing wrong, if he said it publicly.

2434. On the 7th of April, when he said it, did you tell him he was doing wrong?—I did; he said, "They know what I mean; we will get up a good dinner."

2435. You thought it was wrong of him?—I did.

2436. That it was a dangerous thing to do?—Yes; I thought at such a time he had no right to be talking of any thing of the kind.

2437. And you told him so?—Yes; he said, "They know what I mean; we will get up a good dinner;" he told me then, decidedly, that they all knew what he meant.

2438. *Committee.*] You say this was on the 7th of April?—I do not know of any conversation that occurred then besides the ordinary business of the society; his promise to get them a good dinner was previous to that.

2439. Mr. *M'Donogh.*] Did you not tell me, half-an hour ago, that when the men were remonstrating you had no doubt it was about money?—I told you my opinion was that that was their expectation.

2440. Was it not when they were expressing their expectations that he then said, "I suppose you expect me to say something, and any promise I have made shall be fulfilled"?—It was.

2441. Was it not after that, that a man in the crowd said, "When are we to get the good dinner"?—It was after that.

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2442. What did Mr. Lilley say when the man spoke about the dinner?—I do not recollect his giving any answer to that.

2443. There are 13 of those persons in the Witness List who are named in the Bribery List, and who are also freemen of the Society of Dublin; how many of those 56 were not voters?—I think there are nine who are not voters.

2444. What were these men paid 2 *s.* 6 *d.* for, as regards the nomination day; was it for their loss of time?—Yes; they were called out from their work to attend there as a protection to their friends.

2445. For Vance and Grogan?—No; for their friends in the society who were going to vote.

2446. Is there not a very large police force in Dublin?—There is.

2447. Was it not to protect the principles of the society that they were employed?—Unfortunately it has become a system in Dublin.

2448. To protect principles in that way?—To protect persons; at controversial meetings you see a number of men following their friends home through the streets.

2449. Is it the custom to pay them at the controversial meeting?—No, it is not; this was a day meeting, and we had to pay them for their attendance at the election, before one of them had his eye cut and his head broken.

2450. Was there a large police force in attendance on the day of nomination? There was.

2451. Were you at the music hall for Vance and Grogan?—No.

2452. Was Mr. Lilley at the meeting on the 12th of May?—His name is not here.

2453. Was he present?—I can only speak from memory, if I am obliged to answer.

2454. Can you say from memory whether Mr. Lilley was present?—I could not say on that particular night; I find he is not in his place; Mr. Joseph Jackson is in the chair.

2455. Do you remember any meeting at or about the time of the lodging of the petition?—I do not.

2456. Do you remember anything said at that meeting at which Mr. Lilley said it was the last day for lodging the petition?—I did hear a conversation as to whether there would be a petition at all, and when would be the last day on which it could be presented.

2457. Did you hear anything said by Mr. Lilley, or in his presence by anyone, in reference to the last day for presenting that petition?—I should be speaking purely from memory if I answered it.

2458. It is purely from memory that I require it?—I do not recollect any one asking him that question. They might have asked it of myself. It was generally watched, and looked for, and inquired about.

2459. My question is in most general terms; did you hear Mr. Lilley say anything on that subject, or any persons in his presence?—I could not answer that.

2460. *Chairman.*] Did you hear him say anything about it?—I do not recollect it at all. I recollect it as a general conversation.

2461. Mr. *M'Donogh.*] Did you hear, in any conversation while Lilley was present, anything said on the subject?—I cannot recollect it. I would say it in a moment, if I could. I do not see anything in it that I would wish to hold back. I might have asked him the question myself. I was asked when would the time for presenting the petition expire.

2462. You were asked that?—Yes, it was quite an ordinary question; in everybody's mouth. I could not go and specially say one person from another.

2463. Did you ask him what would be the last day?—It would be useless for me to try and answer, for I could not. If I said I did hear them, I might be stating a positive untruth.

2464. And if you said you did not hear them, you might be stating an untruth?—Yes.

2465. When did you obliterate this (*handing the memorandum book to the Witness*)?—That I erased at the very first commencement.

2466. What was it?—It was some one who had been pointed out to me as being there; but I did not know anything about him; and I gave it to him in the confusion.

2467. Did

2467. Did you pay them?—Yes; they were stragglers altogether; I could not afterwards, by any means, make out what it was; it was scratched out at the time. I suppose it was 2*s.* 6*d.* or 5*s.*, giving it in two half-crowns.

2468. When did you make this latter alteration?—I should think three or four weeks ago.

2469. After you were served with a summons?—I don't know specially, I did it lately.

2470. What made you do it lately?—When I examined, I found it to be a wrong name.

2471. And three or four weeks ago you erased it?—Yes.

2472. Was any person present?—No; the man's name that should have been there was Robinson.

2473. And whose name had been put down?—Rogers.

2474. What was his christian name?—I do not know.

2475. Was it Benjamin?—I do not know.

2476. Can you tell the Committee what was originally in that first erasure?—I do not know, unless it was 5*s.*

2477. Will you swear it was 5*s.*?—I will not; I see there are the initials "T. B."

2478. What might it have been?—It might have been "T. B."

2479. Is there any resemblance between "T. B." and 5*s.*; are not the initials "T. B." distinctly visible there?—There is something like a "B."

2480. Not erased at all?—The only opinion that I can have is, that "T. B." was myself, and "G. D." was George Downs; and I paid whatever expenses are down there that we spent ourselves, when we were out that day; and that afterwards I considered that I should pay it out of my own pocket, and I scratched the whole thing across.

2481. Where did you and George Downs spend the money?—I do not know where it was.

2482. Or for what purpose?—Our own refreshment.

2483. Are you sure of that?—Yes, if we spent any at all it was for refreshment, and no other way.

2484. Did you say a few minutes ago you tried to ascertain what the original words were, and you could not?—What exactly was under it I cannot say now; I expect it might be the personal expenses, and I thought I would pay them myself.

2485. Was it 5*l.* or 5*s.*?—I do not know, it might have been; it is more like to have been 1*s.* or 1*s.* 6*d.*; it was some little refreshment which we ourselves had, if it was anything at all of that kind.

2486. Did you say it was 5*s.*?—It might have been.

2487. Might it have been 5*s.* or 5*l.*; can you tell the Committee what it was, on your oath?—That was for some little refreshment, and I scratched it out.

2488. That erasure was made at the time?—Yes.

2489. And the other was made a few weeks ago?—Yes, in passing along I might have put down some little expenses that occurred.

2490. I see you have put down, on the 22d of March, "Wynne, 5*s.*;" did you pay Wynne that 5*s.*?—No, I gave it to his wife, for coals, in the middle of the election week.

2491. What does the entry say?—Monday the 22d, "Wynne, 5*s.*"

2492. Is there anything about his wife or the coals?—No.

2493. Is there not another entry of "Wynne, 3*s.*"?—I do not think there is.

Mr. *M'Donogh.*] I shall have to call this Witness again, upon the subject of treating.

Cross-examined by Mr. *Rodwell.*

2494. How long have you been connected with this Protestant Freemen's Society?—Since its commencement.

2495. In this large book you have the minutes of the proceedings?—Yes.

2496. After the meeting you enter the minutes, or it is done at the time?—Occasionally at the time.

2497. Had you a man of the name of Farrel formerly in your service?—He was secretary of the society.

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2498. Did you dismiss him for drunkenness?—He would have been dismissed that week, but he resigned.

2499. Had you complaints of him for repeated acts of drunkenness?—It was utter neglect of the society through drunkenness.

2500. This society is composed of persons who have strong Protestant feelings?—Yes.

2501. Persons whose political opinions were opposed to any Roman-catholic candidate who might start for Dublin?—It was generally understood they were persons of decided Protestant principles.

2502. After the election was there more than one member expelled because they had voted for a Roman-catholic?—In the excitement of the time there were two of them, but one of them has been paying subscriptions to it since.

2503. It is a sort of benefit society?—It is rather a charitable or burial society, from which we can help the aged or sick.

2504. Are you in the habit of advancing small sums of 2*s.* 6*d.* or so, by way of loan or gift, to the needy members of the society?—Two shillings and sixpence, and such like, is in the way of gift; the loans of 10*s.* are paid back at 6*d.* a week.

2505. This man Wynne is the man whose wife takes care of the rooms?—Yes.

2506. Any payments to him in that book were made in respect of money he expended, or for salary to his wife for taking care of the rooms?—It was.

2507. You have been asked a good deal about promises made by Mr. Lilley; do you know of any promise having been made to any voter in reference to his vote?—None.

2508. You say applications were made to you by freemen to know if there would be anything given away, in as many as 20 instances?—

2509. Did you always give a direct answer that you knew Messrs. Grogan and Vance would not spend one farthing improperly?—I do. I say it decidedly; I never practised the slightest deception.

2510. Did you ever lead any one to suppose that any money would be given?—I did not.

2511. You told them distinctly it would not?—I did.

2512. Had you heard that this election was to be conducted on the purest principles?—Everything that I heard tended to that.

2513. That it would be conducted on the purest principles?—Yes.

2514. Did you know that at the election of 1852 considerable dissatisfaction existed amongst the freemen, in consequence of their not having made something by their votes?—I heard that distinctly expressed.

2515. Was that dissatisfaction expressed after the election in 1852 revived after the election in 1857?—I heard the same sort of dissatisfaction.

2516. You were asked whether reference was not made to the time for the petition expiring; is it not the fact that during the five times that Mr. Grogan has been returned for Dublin there have been five petitions presented against him?—I have heard so.

2517. That was notorious in Dublin?—It was.

2518. You have told us that 2*s.* 6*d.* was paid to some 13 persons who are down in that bribery list?—Yes.

2519. Were these men taken accidentally for the purpose of going to the nomination?—Yes, they were asked to go.

2520. Is it not a fact that at the election in 1852 the Protestant voters of Dublin were maltreated?—Yes.

2521. By the coal-porters and navvies, and persons of that description?—Yes.

2522. And this money was given for having a party of your own for protection?—Yes.

2523. *Chairman.*] Was this money really given to protect people from injury?—Yes, that we might be together; we wished these men to come along with us; it was particularly requested by many, "Cannot you send us over some men?"

Re-examined by Mr. *M'Donogh.*

2524. Do you not say it was to pay the people for loss of time, this 2*s.* 6*d.*?—Yes.

2525. Who was it asked you to send people there on the nomination day?—A gentleman

A gentleman came up and asked me, "Cannot you send us over some men? It would be unfair to leave us without having a good number there."

2526. Who was that gentleman?—I never to my knowledge saw him before.

2527. Cannot you tell me who he was?—I do not know, except from another.

2528. Can you tell me from any source of information who that gentleman was?—I do not know.

2529. At what hour of the day did the strange gentleman come?—About the middle of the day; about two o'clock.

2530. Did he say he wanted freemen to make a good appearance, and to shout for Vance and Grogan?—He said, "Cannot you send us over some men?"

2531. You said, "Yes, I can"?—I did not.

2532. Did you shake your head?—I did not go near him.

2533. Did you give no answer to his request?—I heard him ask the question.

2534. Of whom did he ask it?—Of persons who were present at the committee-table at Ross-lane.

2535. Was Mr. Lilley present?—I do not know; it was the Merchant's Cave Ward Committee that they were at at that time, and I did not interfere with them.

2536. Was not the employment of these men on the day of nomination to shout for Vance and Grogan?—They did so.

2537. Was not that their business?—I should say not.

2538. Did you not hear them shouting?—I heard shouting; not them in particular.

2539. Did you not join in it?—I did not; I hate it.

2540. Did you see them do anything else?—I cannot say that I did.

2541. There was no one there who they protected?—Not that I saw.

2542. Was there not a large force of police?—There was.

2543. *Chairman.*] You are the treasurer of this society?—Yes.

2544. Look at your books and let me know what was the state of your accounts with the society on the 1st of March?—It is made up to the 31st.

2545. Let me know the last account that was sent in before the election, was it made up monthly or quarterly?—It was kept by the secretary, not by me. I see it is made up to the 31st of March.

2546. I want the week before that?—There is the 24th of February.

2547. What was the state of your account with the society on the 24th of February?—Income, 20 *l.* 13 *s.* 3 *d.*; expenses, 9 *l.* 15 *s.* 9 *d.* There was at that time 40 *l.* in the bank.

2548. What were the expenses in the week from the 24th of February to the 3d of March?—There were no expenses that week.

2549. What were your receipts?—Income for that week, 17 *s.* 9 *d.*; and I see Mr. John Lilley handed in 5 *l.*, the subscription of Arthur Guinness, Esq.; and other subscriptions, 10 *s.* 7 *d.*

2550. Go on to the next week, the 11th of March?—Income for that week, 12 *s.* 5 *d.*

2550*. What are the payments?—A loan of 10 *s.*

2551. Did you pay anything more into the bank?—No.

2552. Now go on to the 17th?—The 17th of March, the income of the society was 17 *s.* 7 *d.*

2553. And the payments?—There were two loans of 10 *s.* each, and Mr. Lilley was paid 18 *s.* for parish cess; and upon some statement from Mr. Lilley regarding the gas, the sum of 1 *l.* 18 *s.* was ordered to be paid in that respect.

2554. Now the next week, the 24th of March?—Income, 14 *s.* 6 *d.*

2555. Outgoings how much?—I did not see any.

2556. Take the following week, the 31st?—Income, 5 *s.* 11 *d.*

2557. Outgoings?—One pound six shillings.

2558. Take the next week, April the 7th?—Income, 14 *s.* 9 *d.*

2559. Outgoings?—One pound five shillings.

2560. Are these accounts made up at every meeting?—The secretary carried it forward, and I held the money.

2561. When did the secretary make this up?—There was no special time.

2562. When was the week ending the 31st of March made up?—It was made up about that time, I should think. There is a running account after that.

2563. I understood you to say that the resolution that was passed you considered

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sidered authorised the payments by you of those sums of 2*s.* 6*d.* out of the funds of the society?—Yes.

2564. When did you enter that up?—I did not enter it upat all; the secretary had left us about that time; I was expecting to get him back again. He came a few times, and he left us in confusion; and when the talk about the petition began, I made an entry of every time after that they touched it.

2565. And up to this time these payments out of the funds of the society had never been put down in your account?—No.

2566. *Committee.*] Were you repaid this money that you spent for protecting the Protestants?—No.

2567. You have never been repaid by any one?—Not a farthing.

2568. You are out of pocket that 10*l.*?—The whole expenses were paid out of the funds of the society.

2569. Have you ever reported these payments at any of the meetings; it is not entered on the minutes?—It is not.

2570. Does the money in the bank remain the same?—It does.

2571. It was 40*l.* before; what is it now?—Thirty pounds.

2572. Have you any pass-book?—There is no pass-book; they are deposit notes.

2573. Are there any other books of the receipts and expenditure of the society?—Yes.

2574. You paid this 2*s.* 6*d.* out of money in your hands as treasurer?—Yes.

2575. Why did you not enter it in this book?—I cannot exactly say; I did not use to attend to the books at all; I made it my business, as far as I could, to keep from entering any accounts in it; it was the secretary's business.

2576. Whose writing is all this in?—Mr. Farrell's.

2577. Any of it yours?—Yes, since he left.

2578. This is your account as treasurer?—It is.

2579. Why did you not enter in this account these 2*s.* 6*d.* that you paid as treasurer?—I would rather leave it for some of the officers of the society to reckon up the accounts, and see that done first; if they did not do that, I would do it.

2580. This is your account as treasurer?—It accounts for what money I have.

2581. Why did you not cause these sums to be entered in your account of expenditure?—I cannot account for it in any other way than that I wished for a committee to examine into the accounts, and enter it themselves; I considered it the best way for me to do that, and I would not be suspected.

2582. Did you propose at the meeting to appoint a committee?—I did.

2583. At which meeting?—On two or three occasions I spoke to the president and others to have these accounts made up; the election petition commenced, and they were afraid to put their hand to the accounts, or to have anything to do with them.

2584. On account of the election petition pending?—I think so.

2585. Why should the pending of this petition have prevented you from entering this in your accounts?—It would have been entered if we had got a regular secretary.

2586. You say it was the petition?—That is my opinion.

2587. Why should that prevent the Protestant Society entering their accounts; because an election petition was pending?—They were told again and again, though they had been spending their own money, that they had been doing wrong with it at such a time.

2588. Was that the reason they did not enter it in their accounts?—That they had had no regular committee about it.

2589. Who said they had been doing wrong with their money?—Out of doors we were frequently told that everywhere; it was said that it ought not to have been done.

2590. Was that the reason given for not entering it in the accounts?—The only reason I can account for not entering it is, that I could get no meeting to take the matter up and examine it fairly.

2591. You say it was said you had been doing wrong; was that the reason you did not enter it in the accounts?—They never gave no reason; that was my reason for holding it back when they would not settle it.

2592. When was that said?—It might have been said in ordinary conversation;

sation; it was my reason for not entering it. I would rather others would do it.

2593. Because people said you had been doing wrong with the money, was that any reason for not entering it in the accounts?—Until a regular committee would do it; the secretary left them in complete confusion.

2594. You applied to the committee to adjust the account?—I applied to different individuals, they declined to do so.

2595. What reason did they give?—I cannot say that they gave any particular reason; they would not take any trouble about it.

2596. Did they say anything?—They might have said it was time enough; I do not recollect any particular reason, except that they would not take the trouble.

2597. Is that all that was said?—Never mind; it is time enough.

2598. Is that the only thing they said?—That is all I remember.

2599. You say you applied to the committee to examine them; you said just now you did not want them examined and allowed, because people said outside the money was wrongly paid; will you explain that?—That was my reason for not putting them down myself, without a committee being witness to them.

2600. Therefore you wanted them examined?—Yes.

2601. The gentlemen of the committee declined, or put it off?—They put it off; they seemed not to care for it, having confidence in me.

2602. Does the minute-book contain sums which are not to be found in the cash-book?—Yes.

2603. And does this book contain sums which are not inserted in the other?—It does; that is an account of the expenditure at the time of the election; the other are the ordinary accounts of the society.

2604. You stated just now how the money had been expended; what sums does this refer to?—There are 56 half-crowns in the first place, and some other things; I do not know the amount; I have not reckoned it up.

2605. What does this page of the book refer to?—It is an entry of personal expenses during about a fortnight, which I paid during that time.

2606. From what period?—I see it is marked from the 24th March to the 27th.

2607. To the amount of how much?—I see it is here 10 *l.*

2608. Are those expenses amounting to 10 *l.* entered in the disbursements in this book?—No, none of them.

2609. Are they separate disbursements?—Yes.

2610. On account of the society?—Yes.

2611. What are they for?—Most of them for refreshments during that week, at the different meetings in Chamber-street, and so on.

2612. Is that one of the accounts which stood over to be examined by the committee?—Yes.

2613. You had no auditor?—No.

2614. How often did you audit your accounts?—We had no particular time for doing it.

2615. Did you, about four times in the year, have a regular clearing up of the account?—Yes.

2616. Is it customary to let this petty cash-book run on before you enter it in your ledger for the whole quarter?—It is not customary; this being a special case, it was left so.

2617. Have you ever done it before?—I did not interfere with the accounts; they were left to the secretary.

2618. Have you any other books?—Yes, I have.

2619. Is that your ledger?—Yes.

2620. For how long a period do you allow your books to run on before they are entered up?—I did not interfere with them.

2621. Have you sent your own small private account in here?—No.

2622. When would you have sent it in, in the common course?—I gave it into the hands of Mr. Downes. He said, "That is all right." I never could get them afterwards to settle down and look over them.

2623. Did you ever have an account running against the society paid out of your own pocket for three or four months before?—They left the matter and neglected it.

2624. Were you present at a meeting before the election, at which Mr. Vance made a speech?—I was present; I took no part in it.

 2625. Did

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2625. Did you hear his speech?—I heard some of it.

2626. How long did he speak?—For some time; I was in and out; it was so exceedingly warm.

2627. Did you hear him make any reference to a sum of 500 *l.* said to have been promised at the election in 1852?—I did hear him speak of it.

2628. Did he speak of it of his own accord, or in consequence of any interruption?—I think some one made use of an expression which led him to speak of it.

2629. What was that, do you recollect?—That members did not fulfil their promises, or something to that effect.

2630. Some one cried out that in the meeting?—Yes; in the room that I was in; there were two rooms.

2631. In consequence of that he spoke on this subject?—I think he said, I will speak of that by-and-bye.

2632. What did he say when he referred to it?—That himself and Mr. Grogan had made a *bonâ fide* offer of 500 *l.*—it was not a mere promise—to the Protestant Orphan Society if they would raise another 500 *l.*; and they would have paid it, but the Protestant Orphan Society had failed in accomplishing it, and the matter stood over.

2633. Was anything said in reference to the repeating that offer?—I think not.

2634. You did not hear anything said?—No; the matter was looked upon as too much of an intrusion to speak about it.

2635. Was nothing said to Mr. Vance as to whether he would make the promise again?—I did not hear it.

2636. *Chairman.*] Some of these items were not intended to be charged to the society; "Jones, 1 *l.*"; is that a society's debt?—Yes; I should say the stamps have been paid; this has no right to be looked at as an account at all; it was only a personal entry to satisfy my own mind. I see here an entry of 3 *l.*, which was only cash borrowed for the day.

2637. This item which is erased was that intended to be charged to the society?—I could not bring to mind the exact truth of it when I threw it out.

2638. When did you throw it out?—At the time it occurred.

2639. You do not know what this was?—I do not.

2640. What was the other?—It was Rogers.

2641. Was that intended to be charged to the society?—Yes.

2642. Has this been copied out in any other form?—No.

2643. Has this list, in any other shape, been communicated to the members of the society?—No; I thought it my duty to bring you the very simple thing, just as it occurred.

Mr. *Richard Tudor* re-called; and further Examined by Mr. *James.*

Mr. *R. Tudor.*

2644. DID you act as election auditor at this election?—I did.

2645. Have you got all the accounts of Messrs. Vance and Grogan?—Yes.

2646. Was this account I hand you paid to and receipted by Mr. Lilley?—Yes; that forms one of the items of my account.

2647. It is an account of 26 *l.* 14 *s.*, made out in Lilley's writing, received by him on the 6th of April 1857: "Thomas Benson, rent of committee-room, 5 *l.*; coals, gas and attendance, 1 *l.* 10 *s.*; S. G. Downes, ascertaining state of constituency, and arranging lists, 6 *l.*; John Lilley, ascertaining state of constituency, and arranging lists, 6 *l.*;" that is an account recognised by them and paid by you?—Yes.

2648. Amongst other accounts, was that sent in by the Sitting Members?—Yes.

2649. Those accounts came into your hand as election auditor?—Yes.

2650. Here s an account of the "Daily Express" newspaper: "Grogan and Vance, per Ralph Cusack. March 18. Meeting of Freemen, per John Lilley, 2 *s.* 6 *d.* March 25. Resolution, meeting of freemen, per John Lilley, 8 *s.* March 28. Resolution, meeting of freemen, per John Lilley, 13 *s.* 6 *d.*;" what were these resolutions which the Members seem to have authorised payment for?—I am not aware.

2651. Were they from the Ross-lane freemen?—I have not the least idea; I merely received the charge and paid it.

2652. Do

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2652. Do you know why Vance and Grogan paid for the insertion of these resolutions of the Ross-laneSociety?—I do not look beyond the amount of the bill, and the admission.

Mr. *James.*] We put in the paper of the 18th of March, and another newspaper containing a list of the committee of Grogan and Vance.

2653. I believe there is an account of Tighe for 13 *s.* 10 *d.*?—There is.

Cross-examined by Mr. *Slade.*

2654. Have you got all the accounts with you?—I have.

2655. Will you put them in?—Yes.

Mr. *M'Donogh.*] We put in every account of Vance and Grogan, and they will be entered as read.

2656. *Committee.*] Is this book a transcript of the original account?—It was made out from the vouchers which were paid.

2657. Is this the account of the Sitting Member, or is it your account?—It is my account, made out in this way: there was a demand made by the party; it was admitted on behalf of the Sitting Members, and it was then paid by me; that is made out by my clerk.

Mr. *Slade.*] We want all the accounts of Messrs. Grogan and Vance. If they are to be made use of against those gentlemen, my friends must produce the originals.

2658. Mr. *M'Donogh.*] Have you produced the original vouchers?—No; but I have them here.

2659. *Chairman.*] You have got all the accounts there?—All the accounts which were vouched, and which have been transcribed into that book.

Mr. *M'Donogh.*] We will now recall Mr. Benson.

Chairman.] Before you recall Mr. Benson, have you anything to say about the witnesses you expect from Dublin? What are they to prove?

Mr. *M'Donogh.*] Mr. Kernan will state.

Mr. *Kernan.*] They will prove direct payment of money; their evidence was not known before yesterday morning, and the telegraph message to me is that they had direct and positive cases of bribery.

Mr. *Slade* objected to the petitioners being permitted to go into any other cases of bribery than those comprised in the list delivered in to the Committee.

Chairman.] We will go on with the treating cases at present; the Committee will not express any opinion either one way or other as to whether they will or will not grant any application made by you for the examinatoin of those witnesses; if you bring them here, you do so at your own risk.

Mr. *M'Donogh.*] We will go on with Benson as to the treating.

Thomas Benson re-called; and further Examined by Mr. *M'Donough.*

Mr. *T. Benson.*

2660. WHAT was the date of the resolution you gave the meeting with reference to the expenditure of the money?—On the 24th of March.

2661. This house of Jones's was a public-house in Chamber-street?—Yes.

2662. Do you see an entry of 1 *l.* under the head of the 24th of March?—Yes.

2663. I see it is stated in the beginning of this resolution of Tuesday the 24th of March, at which Mr. Lilley was in the chair, that many of the Conservative voters from Wood's Quay and Merchant's Quay were in attendance; was it in their presence that this resolution was passed?—No, they had retired, and then the resolution was put.

2664. These meetings were to be held in the ensuing week at Jones's?—Yes.

2665. Did the freemen attend there?—They attended that night; the meeting adjourned to Jones's, the house where the society was first formed.

2666. You say Mr. Lilley was in and out during the time when the resolution was proposed?—I do not doubt but that he was present.

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2667. Do you find any entry there of any other president except Mr. Lilley? —There is not.

2668. The society then adjourned to Jones's, in Chamber-street?—Yes.

2669. Were there many on the night of the 24th, at Jones's?—I should think about 40, or more.

2670. Do you see on the night of the 24th, that any sum of money was expended by Mr. Lilley?

Mr. *Slade.*] If this is intended to affect the Sitting Members, I must object to it.

(Mr. *Slade* is heard to address the Committee in objecting to the question, on the ground that Mr. Lilley had not been proved tobe an accredited agent the Sitting Members.)

Mr. *M'Donogh* is heard in support of the question, contending that the agency of Mr. Lilley had been proved.

Committee.] Who do you say was the person who was in the Ross-lane committee-rooms conducting the election in that ward, on the part of Messrs. Vance and Grogan?

Mr. *Rodwell.*] We do not say that there was any other person in charge of those rooms in the conduct of the election, except Mr. Gibson.

Mr. *Slade* was heard in reply.

The room was cleared.

The Committee deliberated.

Counsel and agents are called in.

Chairman.] The Committee are of opinion that there is sufficient *primâ facie* evidence of agency to let in evidence of acts of treating by John Lilley.

[Adjourned till To-morrow, at Eleven o'clock.

Mercurii, 5° die Augusti, 1857.

THOMAS EMERSON HEADLAM, Esq., M.P., IN THE CHAIR.

Mr. *Thomas Benson* re-called; further Examined by Mr. *M'Donogh.*

Mr. *T. Benson.*

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2671. WILL you refer to your pencil memorandums, and to the resolution of the 24th of March?—Yes; I should wish to make a remark as to the statement I made yesterday as to this very meeting; the minutes of the 24th March were recorded by Mr. Farrell. It was not at that meeting that Mr. Vance attended; Mr. Lilley is recorded as being the chairman on the 24th of March. I find that was not the night Mr. Vance attended. I think the night he attended, and when that resolution was passed, was on a Friday.

2672. Look at your little book, do you see on the night of the 24th any entry? —I have it here.

2673. Do you see Jones, 1 *l.*?—Yes.

2674. Jones's is a public house?—Yes.

2675. Did you entertain the freemen there that night?—Not the freemen; the members of the Ross-lane society.

2676. Who entertained them?—Their own resolution required me to pay; I had no control over their funds, except to do as I was ordered.

2677. These

2677. These members of the society were freemen?—They were.

2678. You paid a pound for their entertainment that night?—I cannot be sure, but I find a receipt here of Mr. Janes, and I am satisfied to abide by that; that is a receipt which has been torn off the file.

2679. This is a receipt for 6 *l.* 6 *s.* 11 *d.*?—There is 3 *l.* of that cash. I needed cash at the time; I asked him to lend me 3 *l.*, which he included in that receipt.

2680. When did you borrow this 3 *l.* of Jones?—On some one or other of these days. I needed to have cash immediately with me.

2681. Did you give this 3 *l.* to any person in Jones's?—No, never.

2682. Did you part with it there?—No.

2683. What did you do with it?—I put it in my pocket.

2684. What did you do with it?—I do not know exactly; it is likely it is some of the half-crowns that were paid; it might have been.

2685. Did you not say yesterday, when you drew out this 10 *l.* from the bank you had money of your own to pay the half-crowns?—Plenty.

2686. How came you to want this 3 *l.*?—I might have wanted cash immediately.

2687. What did you want the 3 *l.* for?—That I might not be short of money when I was about amongst the freemen during the week when I was not at home.

2688. Do you know how you spent this 3 *l.*?—I could not state the particular sum; I thought I needed it until I had got the 10 *l.* from the Royal Bank.

2689. What day did you draw the 10 *l.* out of the Royal Bank?—I could not tell from memory.

2690. Show me the deposit receipts?—I have not them all, of course.

2691. Show me the others?—I have three of them for 10 *l.* each.

2692. Those are all the receipts you have at present?—Yes.

2693. You had plenty of money at home; was your home near to Ross-lane?—It was.

2694. How near?—Twenty minutes' walk.

2695. Look to the next entry: "24, Jones, 1 *l.* 2 *s.* 6 *d.*;" did you spend that also in Jones's that night?—I should think so, but I don't know whether it is included in the 6 *l.*

2696. Is it in your book?—Yes.

2697. Did you spend that 1 *l.* 2 *s.* 6 *d.* in entertaining the members of the society?—Yes; I paid Jones that sum.

2698. What does the "25th, J. L." mean?—John Lilley was with me when I spent 1 *s.* 3 *d.*

2699. Do you see the "ditto" underneath?—I do.

2700. Does that mean the same subject?—I cannot say that is the exact date that follows all down.

2701. Was Lilley with you the first night at Jones's?—I think he was.

2702. Have you the slightest doubt about it?—I think he was.

2703. "Stamps, 2 *s.* 6 *d.*;" what was that for?—For letters sent out through the ward, to summon members to the ward committee.

2704. *Committee.*] For the electors?—No; there were two ward committees met in that house, the Merchants' Quay Ward and the Wood's Quay Ward; the stamps were put on the letters, and sent to them.

2705. Mr. *M'Donogh.*] Is Ross-lane in the Wood's Quay Ward?—I do not know; these two committees met in the same house.

2706. And this 2 *s.* 6 *d.* was for envelopes to summon the electors?—Yes.

2707. For the purposes of the election?—I think it was Mr. Downes who asked me to do this; to get some stamps.

2708. And you paid it with the society's money?—I did.

2709. With the money you drew out of the bank?—As treasurer of the society.

2710. What is the meaning of "Fleet-street"?—Four of the persons who were engaged in the ward-room that evening, Downes, Lilley, myself and another took a walk, and had refreshments to the amount of 1 *s.* 2 *d.* in Fleet-street.

2711. Who was the other?—As near as I can recollect, young James M'Dowall.

2712. How was Downes engaged that night?—We were, after being tired, in Ross-lane.

2713. How was Downes employed that day at the committee-room?—I could not tell you.

 2714. Was

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2714. Was he engaged in the business of the election?—I believe he was.

2715. So was Lilley?—I think so.

2716. So were you?—No, I was not; I was more engaged as treasurer of the Ross-lane Society.

2717. Was it as treasurer of that society you spent the 1 *s.* 2 *d.* in refreshments for Downes and Lilley?—Yes, they being officers of the society with me.

2718. What is the meaning of the word "Tuesday" and the initial "L"?—I think it is for refreshments, and Lilley was with me, and some one else, I do not know who; some of the officers or persons connected with the society would be there.

2719. Was this at Jones's?—No.

Mr. *O'Malley.*] The treating list they have given us contains the time from the 27th of March to the 1st of April, and the houses they give us are Burke's, Darcy's, Jones's; I trust the Committee will limit the petitioners to the time mentioned in their list.

2720. *Committee.*] Were you ever asked to show your accounts to the agents for the petitioners?—No, never.

2721. Should you have refused that information if you had been asked for it?—I never refuse anything.

2722. If Mr. Reynolds had come to you and asked you to produce that book for his inspection, should you have shown it to him?—I am always willing to give every information in my power; the books were always publicly on the table.

2723. Mr. *M'Donogh.*] Were these books of the society open to the public; to any one in this room?—They were always lying open on the table.

2724. Do you mean to say that private book of yours was open to the public since the 24th of March?—No, it was not.

Mr. *M'Donogh* submitted they should be at liberty to have the treating list amended by substituting the 24th of March for the 27th of March.

The room was cleared.

The Committee deliberated.

Counsel and agents were called in.

Chairman.] The Committee have decided not to receive further evidence before the 27th of March, but the evidence already given applying to a period before the 27th not having been objected to, they retain that upon their minutes.

2725. Mr. *M'Donogh.*] Will you tell the Committee what is the date, "Sundries;" is that the 28th of March?—I think so.

2726. How much money is opposite to that?—£.1. 3*s.*

2727. Will you look at the next date?—The 29th.

2728. What is opposite the 29th?—6 *s.* 1 *d.*

2729. Look at the next item?—The 30th, 1 *l.* 15 *s.* 3 *d.*

2730. Were all these at Jones's?—Yes.

2731. That is his bill and receipt?—Yes.

2732. Did you pay that bill?—I did.

2733. Were these several sums expended for entertainment at Jones's?—They were.

2734. For entertaining the freemen of Ross-lane?—They were.

2735. Did you pay for them on this occasion by that bill?—Yes.

2736. Is there anything on the 31st?—Yes; there is 5 *s.* 4 *d.*

2737. Did you expend that 5 *s.* 4 *d.* on the 31st in entertaining the Ross-lane voters?—I do not know as to particulars; I got the bill presented to me, and I paid it.

2738. You paid it as a true bill?—Yes; I might not have been present at half of them; but I believed it to be a true bill, and I paid it as such.

2739. Did you authorise that drink should be given to the men?—Decidedly.

2740. What drink had they?—They called for what they wanted; they were in different rooms.

2741. Had they whisky and porter?—They had.

2742. *Committee.*]

2742. *Committee.*] Is this a tavern or a public-house?—It is a regular vintner's.

2743. Mr. *M'Donogh.*] Is it a grocer's?—No; it is a regular licensed public-house.

2744. The nomination day was on Saturday, the 28th?—I do not know the date.

2745. Upon the 30th, I see the sum for liquor is 1 *l.* 15 *s.* 3 *d.*?—Yes.

2746. I suppose they were very thirsty that day?—Yes.

2747. Were you there on the 30th, when this 1 *l.* 15 *s.* 3 *d.* was spent?—I was not.

2748. Were you at Jones's at all that day?—I might have been in the evening; I should say I did call in the evening.

2749. Did you take any drink there?—I would not say I did; I do not think I did.

2750. Did you see others taking drink?—Yes.

2751. Did you see the freemen of Ross-lane taking drink there on that day?—I did.

Cross-examined by Mr. *O'Malley.*

2752. You were the treasurer of this society?—Yes.

2753. You were not employed at the time of the election at all?—No.

2754. Was Farrell, who was examined here, the secretary?—He was.

2755. Did he keep the books of the society?—He did.

2756. No secrets were kept from Farrell?—None whatever.

2757. Mr. Lilley was the president of the society?—Yes.

2758. Was Mr. Downes a member of the society?—He was.

2759. What office did he fill?—Vice-president.

2760. The room was under the care of Mrs. Wynne?—Yes.

2761. She and her husband slept on the premises?—Yes.

2762. They had a room there?—They had.

2763. Did the premises belonging to the society consist of more than one room?—Yes, a large house.

2764. I understand there was a reading-room?—Yes.

2765. Was that reading-room the room in which the business of the society was generally carried on?—It was.

2766. The largest room in the house?—Yes.

2767. Had you books as well as newspapers?—Yes.

2768. You used that room as a sort of club room for reading and conversation?—That was it.

2769. So that conversation might be going on upon one subject amongst one lot at one end of the room, and business of another kind amongst another lot at another end?—Decidedly so.

2770. You told us yesterday that the freemen always took a great interest in the election?—They did.

2771. One of the principles of the society was to give an undivided support to the Protestant members; had Mr. Reynolds given some offence to the freemen by some statement of his?—They were not very partial to him, and when they read anything that he said respecting him, he would observe upon it.

2772. Is Mr. Reynolds himself a Roman-catholic?—I do not know.

2773. You were a member since the commencement?—Yes.

2774. All the members of your society took a great interest in the election?—They did.

2775. It was an exciting and an interesting time for them?—It was.

2776. On previous occasions the freemen had been roughly handled in Dublin?—I have known it to be so.

2777. There is a very large Roman-catholic population there?—There is.

2778. And of the lowest kind?—Yes, all sorts.

2779. We are told that the rooms of the society were let for election purposes to Mr. Benson?—They were.

2780. While the rooms were let to Mr. Benson did the society go on with its usual meetings there?—It did in the evening.

2781. So that there were going on together the meetings of the club and also the proceedings of the committee?—Yes.

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2782. Were not those two things quite distinct?—They were.

2783. You said yesterday these were memoranda of monies you had laid out during the week?—Yes.

2784. And that part of it were monies laid out on account of the society, but not all?—Not all; if they came to be examined by any committee, and they objected to any one of them, I should consider I had a right to pay it myself.

2785. There is a sum of 2*s.* 6*d.* to Downes; that was a demand against him?—Yes; he asked me to lend him half-a-crown for stamps.

2786. The society had nothing to do with the 2*d.* for pencils?—No; these were items I spent during the week.

2787. The circulars you spoke of, were the circulars to be sent to some of the members of the election committee to meet there?—Yes.

2788. A parcel of printed circulars which were sent for the purpose of summoning the Parliamentary Members of the ward committee?—Yes; that was what Mr. Downes wanted the stamps for.

2789. For putting on the envelopes?—Yes.

2790. Was Mr. Harris one of the committee for Merchants' Quay and Wood's Quay?—He was noticed as such; I remember hearing his name talked of.

2791. Have you seen him there?—I have seen him in the house; I cannot say any particular day.

2792. Was Mr. Mansell also a member of the committee?—He was.

2793. Did he use to attend there from time to time?—I have seen him there.

2794. Mr. Booth?—I do not know him personally; he might have been there.

2795. Did you know Mr. Birney?—I did.

2796. Have you seen him there?—Occasionally.

2797. Have you also seen Mr. Little?—I did, frequently.

2798. He is not a freeman, but a property voter?—Yes, I believe so.

2799. You have seen him there on the business of the election?—I have.

2800. None of these were members of the Freemen's Society?—No; Mr. Little took a very active part in the business of the election; he went out visiting gentlemen in the neighbourhood.

2801. Do you remember Mr. Curtis also?—I have seen him there several times.

2802. Although he is a freeman, he is not a member of your society?—No.

2803. Have you seen Mr. Taylor?—I have seen him there.

2804. And the Reverend Mr. Marks?—I have seen him there.

2805. And Mr. Cusack also came there about the business of the election?—I have seen him there.

2806. On the day of the election did you see Mansell there?—I did.

2807. In and out during the time of the election?—Yes.

2808. He came to see how matters were going on, and to give directions?—He came to see if we had got all the men polled, and to see what we were doing.

2809. Not one of these were members of the society, but were members of the committee who attended there to carry on the business of the election?—Yes.

2810. You have spoken of several payments made to Jones; during the day of nomination and the day of polling the freemen were regaling themselves at Jones's house?—Occasionally they were.

2811. And they were, through you their treasurer, paying their own expenses?—Yes.

2812. The sum which belonged to them as members of the society you were disbursing for the drink which they had?—Yes; and by their order.

2813. The 2*s.* 6*d.* on the nomination day was also paid out of the funds of the society?—It was.

2814. Paid to themselves for their time out of their own money?—It was.

2815. Money belonging to the club?—Yes.

2816. The 2*s.* 6*d.* paid at the Music Hall was paid by Mr. Furlong?—Yes.

2817. About the time of the election you had in your hands a balance as treasurer?—I may have told you that, but as far as I am concerned, it did not matter whether I had or not. If they named 10*l.* I gave them a running account, out of my own money.

2818. You drew out 10*l.* considering that what you had in hand would not be enough to meet it?—Yes.

2819. Had

2819. Had you any particular or specific object whatever for the 3 *l.* you borrowed of Jones more than to add to that the amount which you then had in hand?—None whatever, on my oath.

2820. Looking forward to your expenditure you thought what?—That I might need it.

2821. You have told us of some sums you have paid for your own refreshment and that of Lilley's?—Yes.

2822. When you said these were sums paid on the business of the election, do you mean that you met together more frequently than you did at other times in consequence of the election?—We did.

2823. That money was laid out for the society, and on account of the society, and had nothing to do with the candidates?—Nothing whatever.

2824. Do you know Lilley's handwriting?—I do.

2825. Whose writing is that in the body of this account?—It is not Lilley's.

2826. Look at the words, "due by Grogan and Vance to John Lilley," is that in Lilley's handwriting? Look at the signature at the bottom?—It is very like his writing.

2827. Do you believe it to be his?—I think it is.

Re-examined by Mr. *M'Donogh*.

2828. You told these gentlemen that Mr. Cusack was at the Ross-lane rooms during the election; how often was he there?—I do not recollect seeing him there more than once, but it struck me when I saw him.

2829. You know that he was acting for Messrs. Grogan and Vance?—I allude to the meeting when Mr. Vance was present; he was there then.

2830. Did you say that Mr. Mansell had nothing to say to the society?—I did not say so.

2831. What was Byrne?—He was the vice-president. Being in the neighbourhood of Merchants' Quay Ward, I introduced him to be noticed as a gentleman in that neighbourhood, who should have been at the meeting. Byrne lives in Bride-street. I alluded to Mr. Mansell being in the room as a visitor.

2832. Was that when Mr. Vance was there?—Yes, and I also saw him there on the polling day.

2833. Was it the money of the society that you applied to the payment of these envelopes?—It might have been; when Mr. Downes asked me to lend him half-a-crown, I did so.

2834. If it was your own private transaction with Downes why did you enter it in your book?—It was money that I spent that day.

2835. Was the 2 *s.* 6 *d.* you gave to Downes, the money of the society?—I could not answer that it was; I freely paid any expenses that I incurred that day.

2836. Did you not say yesterday that it was out of the money of the society you paid that 2 *s.* 6 *d.*;—I did.

2837. Is it not true?—It is true.

2838. Did Downes ever repay you?—He never did.

2839. Did you ever ask him for it?—I do not think I ever did mention it to him from that day to this.

2840. *Chairman.*] When you got those receipts from the bank, did you sign a receipt for them?—It could not be drawn out without each name is signed; I signed it and gave it to Lilley, who drew out the money and brought it to me the same day.

2841. What day was it?—It was the day of the nomination that I drew out the 10 *l.*

2842. Did Lilley receive the money from the bank?—Yes.

2843. And gave it to you?—Yes.

2844. What do you mean by the figures "30" against the 3 *l.*?—It is the 30th March.

2845. Was that a payment of 3 *l.* to Jones?—It must be the 3 *l.* which I got from Jones on the 20th, and paid him back on the 30th; I paid him immediately; in a day or two afterwards.

2846. Did you ever before spend so much money of the society as this in festivities?—Upon one occasion there was a large public tea party at the Rotunda.

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2847. When was that?—About three years ago there was a good deal of expense.

2848. With the exception of such a meeting as that, has it been the practice to spend the funds of the society in expenses like these?—No.

2849. Have you had public meetings of that character since then?—We have had two or three.

2850. Were the expenses paid out of the funds of the society?—They were, generally.

2851. Were disbursements for public meetings of the society paid out of the funds of the society, such as the meeting at the Rotunda?—It was decidedly of the same class; the meeting at the Rotunda was a public tea meeting, and they decided to meet at Jones's for the purpose of refreshment.

2852. Were the funds of the society applied on these occasions in paying the expenses of regaling at a tavern?—Yes; there was a dinner on one occasion.

2853. When was that?—It might be 12 months ago.

2854. Was that a dinner to the members of the society, paid for out of the funds?—I think there were some tickets, but the principal part of the members were admitted free.

2855. With this exception, were the funds of the society ever expended in the same way that they were during this week?—They were on that occasion.

2856. But that was a general dinner, by ticket?—The members of the society who were unable to pay were not charged.

2857. You have not had a chance of having a contested election before?—No.

2858. The funds of the society would not stand more than one a year, on an average?—No.

2859. Were you at the Ross-lane rooms during the week of the election?—I was.

2860. Who was at the committee-room regulating and directing the affairs transacted at that room?—Mr. Downes was the principal person at the committee-room.

2861. What was Lilley doing?—He was with Downes in the transactions between these two wards.

2862. Lilley and Downes were managing the affiars of these two wards?—Yes.

2863. Were there some gentlemen managing them whose clerks they were?—They were considered to be the managers, for they invited gentlemen to come in and act as committee-men.

2864. Did you see any person managing them, for whom they were acting as clerks?—No, I did not.

Mr. *Richard Tudor*, re-called; Examined as follows:

Mr. *R. Tudor.*

2865. *Committee.*] WERE those words at the top of Lilley's bill interlined when the account was brought to you?—When the account was brought to me, no person appeared to be a debtor or a creditor, and there was no receipt to it; but John Lilley was written across.

2866. After the signature, did you allow these words to be interlined?—Yes.

2867. Was Mr. Cusack present when that interlineation was made?—No; no one but the person whose name is mentioned.

2868. All the rest of the account was as it is now?—Yes, everything was in it except the words at the commencement, which were inserted to make it appear that Grogan and Vance were indebted to him, and that the receipt was right.

2869. These words, due to Grogan and Vance, were introduced without the authority of Mr. Cusack?—Yes.

2870. Who was present when the account was presented?—Only one person; I do not know him personally, but I took it to be Mr. Lilley.

2871. It must have been him, if he signed it?—He did not sign it in my presence, he brought it signed.

2872. There was only one person present?—Yes; I understood it was Mr. Lilley.

2873. The words "Received from the election auditors," in commas, were not in it, nor were the words "Due by Grogan and Vance to John Lilley;" those were written by the person who brought it to you, who you do not know?—Exactly so.

James Burke, recalled; Examined by Mr. *M'Donogh*.

James Burke.

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2874. DO you keep an establishment in Bride-street?—Yes.
2875. What is the number?—One hundred and four.
2876. Is it a grocer's shop?—Yes.
2877. And also an apartment for drinking?—Yes.
2878. Are you a licensed publican?—Yes.
2879. Do you know a person of the name of Thomas Naughten?—I do.
2880. Have you been to Mr. Bramston Smith's house with Naughten?—I have.
2881. Do you remember what day it was when you were there?—I cannot tell.
2882. Was it after the election?—Yes.
2883. How soon after?—I think a fortnight or three weeks; I cannot say.
2884. Mr. Smith's house is 31, Fitzwilliam-street?—Yes.
2885. During the election, had this man Naughten brought persons to your house?—He had.
2886. Had he introduced these persons to your house?—

Mr. *Rodwell* objected to the question, there being at present no proof of the agency of Mr. Bramston Smith to affect the Sitting Members.

Mr. *M'Donogh* is heard in support of the question.

Chairman.] You had better call Naughten, and see what evidence he will give us on the subject.

Thomas Naughten, sworn; Examined by Mr. *M'Donogh*.

Thomas Naughten.

2887. WHERE do you live?—No. 98, Bride-street, Dublin.
2888. What is your business?—My business at present is in the oil and spirit trade.
2889. Do you know Major Bramston Smith?—Perfectly well.
2890. Do you know that he was chairman of the committee of Messrs. Grogan and Vance?—I heard so.
2891. Do you know Mr. Burke, who was here just now, of Bride-street?—Yes.
2892. Did you receive any money from Mr. Bramston Smith immediately before the last election?—Yes.
2893. What day did you receive that money?—I think the last money that I received from him was the day before the election, as well as I can recollect.
2894. *Chairman.*] That was the last money you received?—That was the last money I received on my bonds.
2895. Mr. *M'Donogh.*] What was the amount you received the day before the election?—£. 100.
2896. Did you lodge the money in your bank?—I lodged 90*l.* of it.
2897. Had you any communication with Mr. Bramston Smith during the election?—No.
2898. Did you bring Burke to Mr. Smith after the election?—Yes; I remember Burke asking me if Mr. Bramston Smith could do something.
2899. Did you bring him there?—I did bring him there, at his own request; he wanted to ask Mr. Smith's interest to get him a canteen.
2900. What did you do with the other 10*l.*?—I paid it away to a person I owed it to.
2901. Did you pay any of it to Burke?—Not any of that.
2902. Did you mingle that 10*l.* with your general funds?—No; I paid that before I came home, after receiving the money; I paid that away to one person.
2903. Do you know a person of the name of Darsey?—Perfectly well.
2904. Was it to Darsey you paid it?—No.
2905. Any part of it?—No, not any part of that; I paid him several sums at different times.
2906. Did you give Darsey a cheque for 10*l.* that very day?—No, I did not.
2907. Did you give him a cheque at all?—I gave him a cheque for 80*l.* a good while after that.
2908. On what bank?—On the National Bank 10*l.*, and 90*l.* I had lodged.

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2909. Was Darsey with you when you lodged this money in the bank?—He was; here was 90 *l.* of my own, and he added 10 *l.* to it to make the money even.

2910. Did you give a cheque to Darsey that same day for his own money back again?—Yes.

2911. Where does Darsey live?—He lives in Bride-street, and I deal with him.

2912. How came he to give you 10 *l.* to make this sum 100 *l.*, and you to give him a cheque for 10. *l.* at the same time?—It was his observation that I had better have the sum even; I was after paying 10 *l.* out of the 100 *l.*, and he said you had better lodge the sum even; come with me, I am going to do business at the same bank, and I will lend you 10 *l.* to make the sum even; and I gave him a cheque for his 10 *l.* back.

2913. That was a cheque on the same bank?—Yes; which reduced it to 90 *l.*

2914. Did you bring any of the freemen to Darsey's house?—No.

2915. Did you see any of the freemen at Darsey's house?—I do not know; I do not remember having treated them there, or met them there.

2916. You do not remember it?—I do not remember seeing any freemen there.

2917. Did you see any freemen in Burke's house?—I did.

2918. What did you do with the 90 *l.*?—I bought pigs with it, and I am feeding them in my own yard now.

2919. When did you take this money out of the bank?—I took it out occasionally; sometimes I bought 10 pigs and sometimes 16; I kept something like a little farmyard, and I fed fowls and pigs, and sent them to the market, sometimes 10 in a lot.

2920. Have you your bank book here?—I have not.

2921. Tell me when you drew out your first sum?—I should think it might be two months since.

2922. Are you sure of that?—It was one day about that time that I bought the lot of pigs that I commenced with.

2923. How much was the first sum?—Sixteen pounds; I bought 16 pigs, and gave 1 *l.* a piece for them.

2924. To whom did you pay it?—The man I bought them of.

2925. Who was he?—I do not know who he was.

2926. Where did you pay him?—In Smithfield.

2927. Did you give him a cheque for the money?—No.

2928. You had the money with you?—No.

2929. How did you get it?—I went for it after I had bought the pigs to my house; and I went down with my book.

2930. Did you draw a cheque?—Yes, I did, and paid him.

2931. Do you know the name of the payee on that cheque?—Yes, I generally mark the sums.

2932. Who was the person?—I do not know, and should not know him if I saw him.

2933. When did you draw the next?—I cannot tell.

2934. How much was that for?—I cannot tell you.

2935. What was it for; pigs?—I bought pigs with it.

2936. Tell me the name of the person who sold you the pigs?—I cannot; I know three of the last lot died; I should like to find the man, for I would prosecute him, for the pigs were actually poisoned.

2937. When did you draw the next sum?—I cannot tell; I have not the book with me; if you had given me notice I would have brought it here.

2938. What was the next of the sums?—I cannot tell.

2939. To whom did you pay it?—I cannot tell.

2940. What was it for?—I cannot tell.

2941. What was the fourth sum?—I laid out a great deal of money about the house and premises where I am, and I drew out 7 *l.*, 9 *l.*, and 10 *l.* at a time, when I wanted it.

2942. What was the fifth sum?—I cannot tell, I have not the book; I drew it out just as I wanted it.

2943. Did you give 80 *l.* to Mr. Darsey?—I lent it to him, and he paid me back; I gave it to him upon an agreement between him and me about a public-house; there was an understanding between us, that if he could not get the house he

he was after within a fortnight, he was to return me the money; he did not succeed in getting it, and he returned me the money; and he gave me a cheque for 80 *l.*

2944. On what bank?—The same bank; the National Bank.

2945. You drew it out, and lent him the money?—No, I gave him a cheque.

2946. Was it a week after the election that you gave Darsey this 80*l.*?—I cannot tell.

2947. Was it a week or a fortnight?—I should say it is a month or two months after the election; it might have been in May that I gave him a cheque for the 80*l.*; he held it for a fortnight, and he returned it to me by another cheque.

2948. Then only 10*l.* remained to your credit in the bank when you had given him this cheque for 80*l.*?—There was 90*l.* when I gave him the cheque.

2949. Is he a publican in Bride-street?—He is.

2950. The cheque for 80*l.* exhausted your funds at the bank?—No, it did not.

2951. How much did it leave?—I think there was 7*l.* after giving him that cheque.

2952. Having given him a cheque for 10*l.* on the day you lodged the money originally, then you gave him a cheque for 80*l.* about two months ago?—I cannot say.

2953. How did you draw out the money?—Mine is a small business, and I might have many uses for it.

2954. When was this last cheque drawn?—I cannot say.

2955. Did you not borrow this 100*l.* in order to treat the freemen?—Certainly not?—I deny that totally; that was about the fifth sum that I had got on my own bond from Major Smith, and I had assigned him a judgment.

2956. Have you repaid this 100*l.*?—No; because I expect 500*l.* or 600*l.* more from him.

2957. *Committee.*] When had you first any transactions with Mr. Smith?—Some 15 or 16 years ago.

2958. What is he?—He is a barrister.

2959. And a major in the militia?—Yes.

2960. He lent you this money?—Yes; I purchased some house property of him, and the balance of the purchase-money lay over; I had a judgment in June last against an estate, which was sold then, and Major Smith knew that this judgment would be effectual some time or other; he was aware of that; and he lent me money from time to time on my own bond.

2961. When was the first loan?—Two years last June, and the balance of the purchase-money which I owed him was added to the bond, which made it about 70*l.* We had no more transactions until November last, and then I made him an assignment of this judgment, and asked him for the loan of some more money; he hesitated for a few weeks until he had ascertained what the property would be; and I then assigned him this judgment as a security.

2962. And he lent you some more money?—Yes.

2963. Four or five sums?—Yes.

2964. To what amount?—I got 30 *l.* in November, 40 *l.* in January, and I asked him for no more money until March.

2965. Why did you ask him for money then?—I wanted to go into the provision and grocery business, and I asked him for another advance, and as he knew that the day was close for the sale of the estate he calculated that he was safe.

2966. You asked him for this money to go into trade?—I did.

2967. And he lent it to you?—He did; he had the assignment of this judgment, and I gave him my bond; the money would be divided in September, and he is to get the money that I ought to have got.

2968. Mr. *M'Donogh.*] He lent you this money on the security of this judgment; upon whose estate is a lien?—A person of the name of Christopher Harrison.

2969. Is he alive?—Yes; he had a judgment against this estate, and I was the cause of bringing this estate for sale.

2970. How long is it since you obtained the judgment against Harrison?—Since 1842.

2971. Were you an insolvent in 1845?—I was.

2972. Did you return that in your schedule as a judgment for 1,000 *l.*?—Yes.

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2973. Was it upon the security of that judgment that Major Smith lent you this money?—It was.

2974. Having borrowed this money for the purpose of going into the grocery business, did you apply any portion of the 100 *l.* to that purpose?—No, I did not.

2975. Did you leave the 80 *l.* in the bank until May, when you gave a cheque for 80 *l.* to Darsey, the publican?—About May I drew about 3 *l.* out of it.

2976. What did you do with the 3 *l.*?—I laid it out for the use of the house, paying my grocery bills, and so on.

2977. What becomes of your story that you applied it in the purchase of pigs from time to time?—I did not.

2978. You did not go into the provision trade?

Mr. *M'Donogh.*] I purpose now to examine this witness in reference to these conversations with Major Smith and Burke.

Mr. *Rodwell* objected to the learned counsel doing so.

The *Chairman.*] The Committee are of opinion that such a course of examination cannot be pursued until Major Smith has been proved to be an agent of the Sitting Members.

Mr. *Robert Bramston Smith*, sworn; Examined by Mr. *M'Donogh.*

Mr. *R. B. Smith.*

2979. DO you reside in Fitzwilliam-street?—I do.

2980. Were you the chairman of Vance and Grogan's committee at the last election?—I was.

2981. Have you taken the chair at several of their meetings?—I have taken the chair at several.

2982. And acted as a committee-man?—And acted as a committee-man

2983. I presume subjects connected with the election were discussed in your presence?—Of course.

2984. Were you present at the appointment of Mr. Cusack as agent for the election expenses?—I do not think I was.

2985. You know of that as a fact?—Perfectly.

2986. Do you know several other members of the committee who were active in their attendance?—Yes.

2987-8. Mr. Judkin Butler, a gentleman in Dublin, was one?—Yes.

2989. Samuel Gore Downes?—I do not recollect his name; there were as many as 200; there was a correct list published in the "Express" newspaper; and if his name is there, I have no doubt he was on the committee.

2990. Where were the meetings of the committee held?—They were held in College-green, and at the committee-rooms in Dame-street; chiefly in Dame-street.

2991. Was Mr. Mansell a member of the committee?—Yes.

2992. Was he active in his attendance?—Yes.

2993. And Mr. Cusack?—Yes.

2994. And Mr. Gibson, the attorney?—Yes.

2995. Did Mr. Butler attend constantly?—Yes.

2996. Was he actively engaged in the business of the election throughout?—Yes.

2997. You had the chief conduct of the business?—I think our agent conducted it chiefly; as far as a chairman could do anything, I did.

2998. You gave directions and instructions?—Many times.

2999. In relation to the business of the election?—Yes.

3000. And in relation to the employment of some of the subordinate officers?—No; that was altogether done by the agent.

3001. Did you ever attend a meeting at Ross-lane?—Never.

3002. Do you know a man of the name of Naughten?—I do.

3003. Did you give him a sum of money the day before the election?—I did.

3004. What money?—A cheque for 100 *l.*

3005. On what bank?—The Bank of Ireland.

3006. Did he give you any security at that time?—He did; a bond.

3007. Have you got it about you?—It is here.

3008. What

3008. What was the amount?—There are several of them here; I think that was the amount.

3009. What is the date?—The 26th of March 1857.

3010. Did he give you the assignment of any judgment?—He did.

3011. Have you got that?—It was given previously; on the 30th of October 1856 I got the assignment of the judgment.

3012. Do you remember when he applied for the 100*l.* that you gave him on the 26th?—I should say a fortnight or three weeks before.

3013. Might it be a week?—More than that; there was some conversation; I did not particularly want to lend him the money; I hesitated, and it was his importunity, as much as anything else, that made me give it him.

3014. You gave it him on that day?—I did.

3015. Do you remember Naughten and Burke coming to you after the election?—I do.

3016. Was there any conversation between Naughten and Burke and you, in reference to Naughten having treated the freemen?—There was.

3017. When he came into the room, did Naughten say anything with reference to Burke, that it was at his house that he treated the freemen?—He said that Burke wanted to get the canteen at the Pigeon House, which is the house the soldiers use, and that he wanted my interest.

3018. Who said this?—Naughten said this, upon introducing Burke, whom I had never seen before.

3019. Did he say, "This is the man at whose house I treated the freemen?—No; he said, "This is my friend Mr. Burke, and I want to ask you a favour for him."

3020. What did he say about the freemen being treated?—It was I who said that; I said, "Well, my fine fellow, I hope you will get to jail for this business at the election."

3021. You said that to Naughten?—He said, "No, sure; I treated them out of my own money; I had a right to do it, and I will do it again." I then said, "Well, I do not care, you have done no harm to the Sitting Members; it is only yourself, and I sincerely hope you will be punished for what you have done." However, I may say that it was anger that made me say that.

3022. You did not wish your friend to be punished?—No.

3023. You were indignant lest it might affect the Sitting Members?—Of course there could be nothing else.

3024. You knew that Naughten had treated them at Burke's house?—He said he had.

3025. He said this in Burke's presence?—Yes, he did.

3026. Did he say, "This is the man at whose house I treated the freemen"?—No, he did not.

3027. He told you he had treated them at Burke's house?—I cannot say that he did.

3028. To what amount was it?—His own account was, that he had treated them to the amount of three or four pounds.

3029. When did he tell you this?—I sent for him, and asked him, "Is it possible you have been treating the freemen after what I told you upon the subject?" and he said, "Yes, they were friends of mine, and I did so."

3030. When he introduced Burke in this way, did you understand that it had been at Burke's house?—Not from any conversation there, but I believe it was at Burke's house.

3031. Do you remember him saying anything else upon that occasion?—I cannot remember.

3032. Did you say you were not acquainted with Lord Seaton?—Yes; they wanted my influence to get him the canteen.

3033. Did he ask you whether you knew any of the officers in command?—I think not, and I said I had no interest.

3034. Did you say to him, There is a story that you, Burke, had three hogsheads of whisky, do you know that is not true?—I did not.

3035. You were indignant lest the Sitting Members might be affected?—Yes.

3036. When did you get this assignment from this man?—Some time in 1856.

3037. Did you know he had been insolvent in 1841 and 1845?—I knew he had been insolvent, but I did not know how often.

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3038. You did not see his schedule?—No, I think the attorney's agent, Mr. Forster, told me the security was very good.

3039. Did he tell you he was very badly off for money when he borrowed this 100 *l.*?—Not badly off for money, he wanted to speculate in taking a house and stocking it.

3040. And you gave him the money?—I did.

Cross-examined by Mr. *O'Malley.*

3041. As to this security, was Mr. Lyon, the attorney for Naughten, in this arrangement?—It was his managing clerk that I always saw, I never saw Mr. Lyon in my life.

3042. Was his name O'Byrne?—Yes.

3043. Mr. Lyon is one of the petitioners?—Yes.

3044. It was O'Byrne who drew out all these securities?—There is one of them by Mr. Forster, all the rest are by O'Byrne; he witnessed Naughten's signature.

3045. You advanced 100 *l.*?—Yes.

3046. Had you any notion when you were giving this 100 *l.* that any portion of it was to be laid out for the treating of the voters?—Not the slightest.

3047. Having been in the habit of advancing money to this man from time to time, he said he wanted to embark in a speculation, and you gave it him in just the same way as you had done on former occasions?—Precisely.

3048. This was known to O'Byrne at the time?—Perfectly well known.

3049. What led you to caution Naughten?—When I gave him the cheque, and he received the money, he said, "Now I will treat some of the lads who are going to vote for Mr. Grogan."

3050. What did you say to him?—I said, "Do not do anything of the kind; you can do no good to us, and you will never be repaid one farthing, you are not an agent;" Mr. O'Byrne told him the same thing, and he said he would not do so.

3051. How soon after did you hear that he had been treating any one?—A few days.

3052. You sent for him?—I sent for him, or met him a few days after that.

3053. What did you tell him?—I was very angry with him, and I hoped he would be punished.

3054. This was the caution that you alluded to?—Just so.

3055. You know that the election agent was Mr. Gibson?—Yes.

3056. Was he universally known and recognised as such by all parties?—Yes.

3057. A short time before the dissolution of Parliament was there any anticipation of a contest for the city of Dublin?—It was generally thought there would be no contest.

3058. Had the revision of the registration been carefully watched on the part of the Conservatives?—Very carefully.

3059. Did you, at the time of the election, calculate on a large majority?—Very large.

3060. Of how many?—I thought, at least, 1,500, but I was bitterly disappointed when I found it was so small.

3061. When you first met, was it with a view to guard against surprise rather than to enter into a contest?—I cannot tell; we met so very often, I cannot say.

3062. How soon before the election were the rooms in Dame-street taken?—A few days.

3063. As long as a fortnight?—I think not.

3064. How many wards are there in Dublin?—I think 16.

3065. Fifteen wards and the freemen?—Yes.

3066. The freemen vote in Green-street?—They do.

3067. Were you one of the committee in 1852?—I was.

3068. In 1852 there was a separate ward committee-room, and a committee for each ward?—I think so.

3069. In 1857 there were not so many?—I think it was just the same.

3070. Do you not know that at the last election there were only 11 ward committees altogether?—I know there were fewer than there were in 1852.

3071. Did you see an advertisement in the paper advertising number 11 Ross-lane to be let for a committee-room?—I either saw it or heard it read.

3072. Were you present at a meeting of the committee when the subject of promising expenses to out-voters was discussed?—I was at several meetings where that was discussed.

3073. Were Mr. Grogan and Mr. Vance present?—Yes.

3074. Do you remember a resolution being come to that no travelling election expenses should be promised to any voter?—I do.

3075. Do you remember, on that, or any occasion, Messrs. Vance and Grogan giving instructions that no expenses of any kind should be incurred, except the legal expenses?—Several times.

3076. Do you remember hearing them say that no one but Mr. Gibson should have any authority to lay any money out for them?—I do not remember that.

3077. But you do about the legal expenses?—Nothing could be more strong than that, and it was repeated more often than I thought was necessary.

3078. Was every precaution taken to prevent the expenditure of money in any illegal way whatever?—Every precaution that could be was taken, both by the candidates and the committee, and every one in that way.

3079. Is there not a freehold franchise in Dublin as well as of freemen and householders?—Yes.

3080. Many of the freeholders live at a distance?—Yes.

3081. In different parts of the country?—Yes, and in England too.

3082. Were there not a great number of freeholders, not in Dublin, who did not come up in consequence of their expenses not being paid?—A great many.

3083. Were applications made to the committee to know if their expenses would be allowed, and refused?—Yes, and sometimes the writers were to write again.

3084. Were there not separate committees appointed for the separate wards?—Yes, and we received reports from the respective chairmen constantly.

3085. Were not persons appointed to act as paid clerks?—Yes; they were found more effective than volunteers.

3086. To act under the orders of the committee?—Yes.

3087. Had any clerk authority to act independent of the order of the committee?—No, not at all; they were not of that class.

3088. Mr. Gibson was the person who appointed them?—He.

3089. Did Mr. Gibson appoint the clerks and messengers, and tally clerks?—He appointed every one who was appointed.

3090. I suppose in this, as in all such cases, persons suggested various friends for whom they wished appointments?—Hundreds of them.

3091. As to the election expenses, I believe you even took the opinion of counsel?—Yes.

3092. Can you tell me were there 59 inspectors?—I cannot.

3093. Instead of appointing the number allowed by Act of Parliament, did the candidates limit themselves to one-half that number?—I do not remember.

3094. Each candidate is allowed a certain number of inspectors, check clerks, personation agents, and tally clerks; were the numbers on this occasion only one-half?—I do not know.

3095. Were you present at a meeting of the Protestant Orphan Society, in 1853, when Mr. Grogan, in his own name and that of Mr. Vance, offered to subscribe a sum of 500 *l.*?—I was.

3096. Was that upon the condition that it would be met by other subscriptions to the same amount?—It was.

3097. That is a common way of subscribing in Ireland?—It is, latterly.

3098. That was to be done within 12 months?—Yes.

3099. They failed in raising the money?—They never did it.

3100. Was that offer advertised in the papers?—Yes.

3101. Were you at any meeting in Ross-lane, when Mr. Vance repeated that offer?—I was not at any meeting in Ross-lane.

3102. When you appointed these ward committees, were there a certain number of circulars supplied to the various committee-rooms, for summoning the members?—Yes, and stationery sent to them.

3103. Would it be the duty of the clerk to send out those circulars?—It would.

3104. Are you aware that Mr. Lilley and Mr. Downes were appointed clerks to the committee-rooms in Ross-lane?—I am.

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3105. Was it their duty to send out these circulars to the committee members?—It was.

3106. Do you remember, on the day of polling, Mr. Mansell being deputed from your committee to take the control of matters in Ross-lane?—He was; the word "control," may not have been used, but he was to take the management and direction, as being one of the chief committee.

3107. And he was the responsible person to do this?—Yes; he had full power to do anything there that was legal.

3108. He was a central committee-man?—Yes; and one of the most active and intelligent that we had.

3109. Before the polling day, was not Mr. Harris, a member of the Ross-lane committee, frequently in attendance at your committee to report?—Frequently.

3110. Used he to attend the central committee to report the proceedings of the Ross-lane committee?—Regularly.

3111. And also to receive instructions?—Yes; each ward sent a chairman to receive orders and make reports.

3112. Do you know of any money having been authorised to be given or promised, directly or indirectly, by any person connected with the committee?—None whatever.

3113. By this Ross-lane committee?—I do not.

3114. Were any promises authorised, to your knowledge?—None whatever.

3115. Were you aware there was great dissatisfaction on the part of the freemen, in 1852, at not having been paid?—I heard they had been dissatisfied, a great many of them.

3116. Was that mentioned in the committee?—It was the subject of conversation.

3117. Was it determined in the committee that no payment or promise of payment of any kind should be made to any freemen?—It never came to a question; the possibility of our doing so was never admitted.

3118. The principle was repudiated at once?—We knew these poor fellows wanted money; it might be the subject of conversation, but it never was discussed as if it eventually might be a thing committed.

3119. Did not Messrs. Grogan and Vance express their determination to brave the dissatisfaction of the freemen on this occasion, whether they were dissatisfied or not?—I am quite aware of that. Mr. Vance repeatedly said he would rather lose the election than win it by the Ross-lane men; repeatedly.

3120. Did you ever hear of any offer to pay this 500*l.* unconditionally?—No; as a private opinion of my own, I said it ought to be paid.

3121. Were you present at any interview when Mr. Lilley suggested it would be advisable to pay some money to the freemen?—No; I never saw Mr. Lilley in any committee-room during the election; I never allowed Mr. Lilley to come into any room where I was. When I heard his name announced, I said, "He shall not come in."

3122. Then he would have no business in your committee?—He often wished to make propositions of that kind, and they were refused.

3123. His position was one of entire subordination?—Yes; he is the sexton of the church belonging to the Blind Asylum.

3124. Mr. Vance has refused to be a patron of this society in Ross-lane?—Yes; he heard him say so himself.

3125. Did not Mr. Grogan also express his opinion that he would rather lose the election than that any illegal payments should be made?—Firmly, and repeatedly.

3126. And that was perfectly well known to every member of the society?—That was perfectly well known; that was the principle upon which the election was to be conducted.

3127. Several of the freemen are in very poor circumstances?—Yes.

3128. And in former times there used to be a habit of giving them head-money after the election?—They used to be bribed in former times.

3129. They did not call it bribery?—They did not use so strong a term.

3130. The freemen are a very large class?—Very large.

3131. Numbering some of the first tradesmen and merchants in Dublin?—Yes.

3132. Do you find that those who are freeholders and householders vote upon their freeman's qualification instead of as a householder?—Yes; originally it was more easy to vote as a freeman; it could be done in less time.

3133. A large

3133. A large number of freemen trace their descent from old Protestants, do they not?—Yes, they do.

Re-examined by Mr. *M'Donogh.*

3134. These payments which were made to the freemen, were they made before the election or afterwards?—I do not know; I understood they were paid at all times, before and after.

3135. When was it discovered about these poor fellows wanting the money; how soon after the election?—I never heard it discussed before the election as an application for money.

3136. Was there not a conversation in the committee-room as to the expectation of these poor fellows?—It might be cursorily mentioned in conversation.

3137. Was it talked about?—I dare say it was, frequently.

3138. When was it that Mr. Vance said that he would rather lose the election than win it by the Ross-lane men?—He said it on the day of polling and several times before.

3139. How many days before the election did Mr. Vance say that?—Whenever there was an opportunity; he was anxious to say so beyond everything; that was his decision invariably.

3140. Was it a week before the election that he said that?—I am quite sure it was.

3141. As to Mr. Lilley, you would not see him at all?—I would not.

3142. Whenever he applied to be admitted you refused him?—Yes; whenever he wished to be admitted I particularly refused him.

3143. Did he apply to be admitted, or to get in to the committee, and talk about matters a week before?—I dare say he did.

3144. Then you said, Do not let in Lilley?—Whenever I heard his name, I said, "Do not let him into the room at all."

3145. That was carrying out Mr. Vance's views?—Yes; my intention was to keep clear of him at all events.

3146. Therefore shut out Lilley?—Certainly.

3147. When you received this bond, on the 26th of March, did you, at that time, give this man a cheque for the money?—The moment.

3148. Had he got the cheque for the money before or after the time when he said, "Now, I will treat some of those lads who are going to vote for Vance and Grogan"?—He had just rolled it up, and put it in his pocket.

3149. You said, Take care what you do with it?—I said, Do not waste your money, you can do no good to the party you favour, and you will not be repaid.

3150. Do not nail his ear to the pump; you know what that means?—It was not said in that sense.

3151. The moment he got the cash he announced his intention to treat?—He did.

3152. How soon after did he carry out his intention?—Very few days.

3153. He went at it at once?—I suppose so.

3154. As to Mr. O'Byrne, he is Mr. Lyon's clerk?—Yes.

3155. You never saw Mr. Lyon?—No; but it was in his office it was done.

3156. You say there was some discussion about travelling expenses?—It was resolved that they should not be permitted.

3157. Was it much discussed?—Yes; we were very anxious to be able to pay the expenses.

3158. There was an anxious consideration what should be done?—Yes.

3159. Do you not know that travelling expenses to the amount of 183*l.* 16*s.* 7*d.* have been paid?—Very likely.

3160. *Committee.*] What was your great objection to let Mr. Lilley into the room?—I thought Mr. Lilley wanted to be an agent, to receive money for these Ross-lane people, and I thought his coming into the room would bring on a discussion, which would be very disagreeable.

3161. He was the manager of these men?—Yes; and I would not allow him to come into the room.

3162. Why was he employed?—Because he is a clever fellow, and knows all these men.

3163. If you were so much afraid of him, why did you employ him to manage this part of the election?—He could do no mischief in his own place; he might discuss bribery as much as he liked there.

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3164. But why did you employ him as an agent?—We thought him a very fit man to manage all such affairs as a clerk could do, as he knew all these people, and he is really a very clever man, and managed that portion of the election remarkably well; provided he is kept from mischief I do not know a better man.

3165. You appear to have put him in the place of mischief by putting him at Ross-lane?—No, if we allowed him no power to promise, and no money to give away, we thought we should be perfectly safe.

3166. You say Mr. Vance said he would rather lose the election than win it by these Ross-lane people; what induced him to make that remark?—He sometimes said it very unnecessarily. I was one day speaking to Mr. Cusack and Mr. Gibson about something very distinct from that, and he came up close to us, and said, "Now, gentlemen, I would rather lose the election than win it by the Ross-lane men.

3167. Was there any remark that led to that?—None that I know of; but in all Dublin elections that is a matter that must be talked of, from the anxiety of these poor fellows to get money, and the anxiety of the Members not to give it.

3168. To whom was Mr. Lilley a clerk?—That was the name given to the man who took the circulars.

3169. Was any person employed as his master?—He was the clerk to the committee.

3170. Was there any chairman of that local committee?—Mr. Harris I always considered as his superior.

3171. Did the central committee appoint any one chairman there?—The local committees appointed their own chairmen. I think Mr. Harris was the chairman at Ross-lane, but I do not know that.

3172. How many freemen are in this distressed condition?—I should suppose 200 or 300.

3173. Were Mr. Lilley's duties specific duties or general duties?—General duties and specific duties also. He was to bring up voters, to keep them together, and keep them as far as he could from getting into the enemies' quarters, and to do all he fairly could for the purposes of the election. The great point was to preside in these rooms, and be there to answer proper questions, and tell them what to do. And to have cars to go to the polling places. No man is able to walk at all then.

3174. Was he authorised to hier cars?—A certain number of car tickets were given to him.

3175. Was Naughten in the habit of treating his friends when he was in funds?—I do not know; he is a sober man. It was considered safer to give car tickets than to give them money.

3176. Will you undertake to say that no money was expended at the election except that which appears in the auditor's account?—As far as I know, I should certainly say so.

Mr. *James Burke*, recalled; Examined by Mr. *M'Donogh*.

Mr. *J. Burke.*

3177. DO you know Naughten, who was here just now?—Yes.

3178. Do you remember Naughten entertaining the freemen at your house?—I do.

Mr. *O'Malley* objected to the question.

Chairman.] The Committee are of opinion these questions cannot be put.

Have you the witnesses in attendance you spoke of yesterday?

Mr. *M'Donogh.*] Yes. But I am instructed to say their evidence is not such as we should feel justified in troubling the Committee with. As to George Strong we have not been able to find him, and we have no further evidence to offer on behalf of the petitioners. Their case is now closed.

Mr. *O'Malley.*] To-morrow morning I will inform the Committee whether it is our intention to call evidence on behalf of the Sitting Members or not.

[Adjourned till To-morrow, at Eleven o'clock.

Jovis, 6° die Augusti, 1857.

THOMAS EMERSON HEADLAM, Esq., M.P., IN THE CHAIR.

6 August 1857.

Mr. *M'Donogh.*] I have to apply to the Committee to specially report the case of George Strong to the House. We have not been able to find him.

Chairman.] Have you no clue to him whatever?

Mr. *M'Donogh.*] None whatever.

Mr. *O'Malley.*] Since we last met, my friends and myself have considered the evidence in this case, and though we feel little doubt that we could deal with it satisfactorily as regards its effect upon the Sitting Members, still, in a case of this description, we feel it our duty to accede to the strong desire of the candidates themselves, and bring them and their agents before you in order that you may have the matter sifted to the bottom. I will, therefore, at once proceed to call witnesses.

William Samuel Frewen, sworn; Examined by Mr. *O'Malley.*

W. S. Frewen.

3179. ARE you Relieving Officer of the Meath-street dispensary?—I am.

3180. Do you know a man of the name of John Hamilton, of 16, Bride-street?—I do.

3181. Have you known him for some time?—I have.

3182. Did you ever, on any occasion whatever, offer that man, or promise that man any money for his vote?—Never, directly or indirectly.

3183. Or in respect of the election at all?—Never.

3184. Did you ever pay him a sum of 5 *l.* in respect of his vote?—I never did; the last sum I ever gave him was 4 *d.*

3185. What was that for?—In charity; I think that was nine months previous to the election; I have given him food from time to time for the last 12 months, from the institution in Meath-street, and I have also given him soup tickets.

Cross-examined by Mr. *M'Donogh.*

3186. Were you at the election on the day of polling?—I was.

3187. What were you doing?—I walked in and out; if I saw any Protestant friend I brought him up to vote for Messrs Vance and Grogan.

3188. Among the rest, did you find Hamilton and bring him up to vote?—I found him about three o'clock; met him coming to the polling place.

3189. Did you accompany him to the polling place?—I met him at that place.

3190. Did you see him vote for Vance and Grogan?—I did.

3191. On your oath, did you not bring him up to the booth?—I went with him into the booth with the other persons.

3192. Where did you first see him that day?—At his own house, about nine in the morning.

3193. Did you tell him to come and vote?—I went for him by his own request with a car (he had a bad leg) to come to vote according to promise; he said he could not go, for he had no clothes to put on.

3194. Did you supply him with them?—No; he said some of them were pledged; he said "I will meet you at the polling place about two or three o'clock."

3195. Was anything said about what he had in pawn?—No.

3196. Did you supply him with anything?—No, not a penny; not a fraction.

3197. With any clothes?—No; none whatever.

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3198. What did you say when he said he had no clothes?—I said I could not help it; he said he would borrow a coat.

3199. Where did you meet him?—I went to Ross-lane between then and the time of voting, and I mentioned to two or three persons in Ross-lane that he had no clothes to go in; that there was a person of the name of Hamilton who was inclined to vote if he had any clothes.

3200. You went to Ross-lane?—I was there twice.

3201. Who was the person you told about Hamilton?—I really could not say.

3202. After that, did you return to the polling place?—Yes.

3203. Were you paid at the election?—No; I was only a friend.

3204. You were assisting Vance and Grogan in getting up the voters?—Yes.

3205. Do you know Mr. Cusack?—Yes.

3206. Were you at the committee-room during the election?—Yes; I was in and out.

3207. Were you there before the election?—I do not think I was.

3208. On the day of nomination?—I think not.

3209. Are you a member of the Ross-lane society?—No.

3210. Had Hamilton promised you to vote before the polling day?—He had.

3211. How many days before?—He came to my office four or five days before; it was the week previous to the election.

3212. Did you not on the Saturday say these words: "Hamilton, I have got it in my pocket"?—On my solemn oath I never mentioned anything to that effect.

3213. Did he say, "I would not like to vote without getting it"?—No such thing.

3214. "I have always been in the habit of getting it"?—No such thing.

3215. Did he on Saturday, or any other day, say to you, "Can you do anything for me, if not I will not vote"?—He never did.

3216. Did you say, "If anybody could do it I could do it"?—I did not.

3217. Do you remember putting your head out of the box, where you sat at the dispensary, and slapping your breast?—Certainly not; there was nothing there but tickets.

3218. Since the election has he asked you for the money?—I did not see him after the election for two months.

3219. Did he come and ask you for the money?—Certainly not.

3220. What dispensary is this you are connected with?—For the sick poor in Meath-street.

3221. What is your trade?—I am no particular trade; I am relieving officer for that; and I am the secretary of the Dublin Temperance Society, and warden for the South Dublin Union.

3222. Is Mr. Cusack chairman of the North Dublin Union?—I have heard so.

3223. Do you know a man of the name of Strong, who was in the South Dublin Union?—I do not know him.

3224. What are your means of livelihood?—I have some property in the county of Limerick.

3225. What do you derive from the place in Meath-street?—40 *l.* a year.

3226. Is surgeon Cusack the leading surgeon there?—He has nothing to do with our dispensary; we have no doctor.

3227. Do you compound the medicines?—A lady of the name of Birch conducts the place.

3228. It is in fact a soup-shop?—Yes; soup and bread for the poor.

3229. When you saw Hamilton two months after the election, what did he say?—I went to visit another person of the name of Fitzgerald, in the next house, and I saw Hamilton making stockings; I believe that is his trade.

3230. On the day of polling had you an altercation with any one as to bringing up Hamilton to vote?—No, never.

3231. Do you know a man of the name of Nugent?—No.

3232. Did any one threaten to call the police for you in reference to Hamilton or Nugent?—No.

3233. Do you know this gentleman behind me?—I think I have seen him before.

3234. Was

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3234. Was there not an altercation on the day of polling, when you were threatened to be given into custody?—A man came down after Hamilton had voted, and said, "Will you give me your address and name"? which I did.

3235. On your oath, did you ever hold up your fingers in this way to Hamilton?—On my oath I never did; nor never thought of it.

3236. You were a very active friend of Messrs. Vance and Grogan?—I cannot say I was.

3237. Were you employed all that day?—I went about 9 or 10 o'clock, and I was obliged to go back to my business in Meath-street.

3238. When did you go to the polling place?—About that hour, but I was obliged to return.

3239. How soon did you return to the polling place?—About 11 o'clock.

3240. Did you spend the rest of the day at the polling place?—Certainly not.

3241. When did you leave?—I was backwards and forwards.

3242. Up to what hour?—Half-past three.

3243. When the election was over?—Yes.

3244. Did not any altercation occur between you and another gentleman, in reference to your having brought Hamilton to vote?—There was no altercation; after he had voted a man came up and very roughly asked me my name and address, which I gave him.

3245. Did the person ask you, "How dare you hold up your fingers to the voter"?—Certainly not.

3246. Did the person who addressed you charge you with having done that act?—I do not recollect it.

3247. Did he not threaten to call the police to you for having done so?—Certainly not.

3248. Did you not, on Wednesday last, state to Mr. Mackay, that you were a paid agent of Vance and Grogan?—Certainly not; nothing of the kind.

Mr. *Gervase Whithorne*, sworn; and Examined by Mr. *O'Malley*.

Mr. *G. Whithorne.*

3249. DO you reside at No. 17, Grenville-street, Dublin?—Yes.

3250. You are an Attorney, practising at the police-office?—Occasionally, I am.

3251. Do you know a man of the name of "Michael Byrne"?—I do.

3252. Is he in the habit of attending at the police-office?—Yes; as process and notice server.

3253. Do you remember, on the 27th of March, meeting Byrne at the corner of Exchange-court?—I met him on the Friday before the election.

3254. Had you any conversation with him?—I had a few words.

3255. About his vote?—Yes.

3256. Tell us what was said?—I saw him standing very nearly opposite the committee-room of Vance and Grogan, and I said in a joke, "Are you going to vote?" and he said, "Well, I think I am." I said, "I am going over to get my ticket, and you may as well come with me; how are you going to vote?" He said, "I do not know; I am not going to vote for Brady and Reynolds." I said, "Then, I suppose, you are going to vote on the other side;" he said, "Well, I believe so." I said, "My brother and I are going to get our tickets, and you may as well come with me; are you a freeman?" He said, "I am a very old freeman." We went over there and I asked for my ticket, and a gentleman there said, "Your brother has got your tickets." He looked over a book, and I was going away; Byrne was standing by my side. I said, "This gentleman is going to vote also, will you give him a ticket? He looked over the book, and he said, "We cannot give it to you now;" they were in a hurry, and I said no more, and we went away.

3257. Did you see him again?—I think I went up stairs then to where Mr. Grogan, or some of them were, and asked what day the election was appointed for.

3258. There was some mistake about the day?—Yes; I thought it would be on a Saturday.

3259. Is that the sort of card that was given to the voters?—Yes.

3260. Did you see him again?—I did.

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3261. When?—I think I saw him the next day, I am not quite positive, but I saw him some time before the day of polling.

3262. Had you any conversation with him then about his vote?—No; nothing more than simply asking him, "Are you going to vote at the election?" and he said, "I am."

3263. Did he say to you he would not vote for the Conservative party?—No.

3264. Did you then say, "Do you not want some money"?—No.

3265. Or anything of that kind?—No.

3266. Did he say, "Money is a very good thing, and there are few of us who would not like to get some"?—No.

3267. Did you say, "You will be sure of getting some money if you come with me"?—No.

3268. I am sure they will not give you anything on the other side, or not so much as I can give you?—No.

3269. "I will make it 5 *l.*, at all events, if you will come with me"?—No.

3270. Did you say any word like that?—Not a syllable; nothing about money, or asking for his vote at all.

3271. Did you hold out any promise of any money whatever?—Positively not.

3272. You are confining yourself now to Saturday?—I am not confining myself to any time; there was a conversation on Monday, which I will tell you.

3273. You saw him again on the Monday?—Yes.

3274. The day of polling?—Yes.

3275. Where did you meet him?—At Grogan and Vance's tally-rooms, in Green-street.

3276. Did you say anything to him about his vote?—Nothing; I only asked him if he was going to vote.

3277. What did he say?—He said he was. He then said, "I hear they are giving 10 *l.*" I said I had not heard any such thing; "Don't you wish you may get it?" that was in a jeering way; my brother went on before me. I did not know whether he had got my ticket or not, and Byrne asked me, "Where are you going?" I said, "I am going for my ticket, have you got yours?" He said, "No." I said, "Come in; I will introduce you to the gentlemen, and get you a ticket." Byrne came in and hesitated; there was a gentleman there, whose name I did not know, and I said, "Here is a gentleman who is going to vote for Vance and Grogan, and we are going to vote also." He said, "How is he going to vote?" I said, "He will tell you that himself." Then Byrne whispered over to me to know if there would be anything given. I said, "I will ask the question for you, from this gentleman at the table." I said, "Will anything be paid for the freemen's expenses?" I was under the idea that there would be something paid for the expenses; and the gentleman said, "I am surprised, Mr. Whithorne, at a professional gentleman like you asking such a question;" and he said, "I beg leave to tell you publicly here, that there will not be a farthing given." I turned round to Byrne, and said, "Are you satisfied to vote?" and he said, "Yes, I am; I may as well vote for you as the other party;" and then he left the room. I had no interest in the election at all.

3278. *Chairman.*] You were not employed at the election in any way?—No, I was not.

3278*. I believe you asked Mr. Gibson for an appointment previous to the Friday, but Mr. Gibson said he was sorry they were all filled up?—

3279. Mr. *O'Malley.*] How soon after the election did you see Byrne?—The first time I saw him was two or three days after the election, and he said, "I have got nothing." I said, "I do not think you ever will." He said, "Could you get me anything?" I said I did not think I could; and I turned on my heel and left him. I met him some days after that, and he wanted to get into conversation with me, but I turned a deaf ear to anything he said.

3280. Did you ever authorise or direct any one to take money to him, or to give him money in any way?—Certainly not; I had nothing to do with it.

3281. Did Byrne ever tell you he had got any money?—Within the last six weeks I met him near the Exchange, and he said, "I have been very badly used." I said, "Have you got nothing?" He said, "No, not so much as the thickness of my nail."

Cross-

Cross-examined by Mr. *Coffey*.

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3282. You have a brother?—I have two.

3283. Had you one employed at the election for Grogan and Vance?—I have heard since I came here that my brother Henry was employed.

3284. Do you not know it as a fact?—I do not; he does not reside with me.

3285. Was he the brother who was with you when you went to the committee-room?—No; that was my brother Gordon.

3286. You and your brother and Byrne went to the committee-rooms?—No, my brother went on before; I do not think he saw Byrne.

3287. Did Byrne and you go to the committee-rooms on the Friday?—Yes.

3288. Who did you find there?—The clerks.

3289. Did you see a gentleman of the name of Keating?—That is the gentleman who gave Byrne his ticket at the tally-room.

3290. Was there a list of voters on the table?—I do not think there was, but I would not be positive; there might have been.

3291. You said that they examined the list to find out whether Byrne was a voter or not?—I do not recollect that.

3292. Upon your oath, was there not a list upon the table, and did they not examine that in your presence, to find out whether Byrne was a voter or not?—I could not positively swear; I am giving you the best evidence I can. My recollection is, that there were several large books on the table.

3293. Have you any doubt in your mind that those were the lists of the registered voters?—I know those books purported to be a list of the voters.

3294. Did you see the list examined?—I think Mr. Keating examined the books.

3295. You say this card is not in your writing?—No.

3296. Did you see Byrne get the card?—I did not.

3297. Did you get a card?—No, my brother got our cards.

3298. Which you ultimately handed in?—Yes.

3299. Was it a card of that description, in red type?—I could not recollect.

3300. Was it very unlike that in your hand?—It had Vance and Grogan on it.

3301. Was it unlike that in the colour of the type?—I do not know.

3302. You commenced conversing with Byrne about voting?—I asked him if he was going to vote; and did not know he was a voter at that time.

3303. Was it at the door of the Liberal committee-room that you met him?—No.

3304. What distance from it?—At the police office.

3305. Is that three yards from the door?—A great deal more; he was in the lane that goes to the police office.

3306. You had only to walk across the street?—Very little more.

3307. You did not see the card filled up?—No.

3308. Did you see it ascertained whether he was a voter or not?—He was ascertained to be a voter before we left the place, because Keating went out with him to vote.

3309. I am talking of Friday?—I think it was ascertained.

3310. Did you not bring him there upon that?—I did not bring him; he was as anxious to go as I was.

3311. What object had you in bringing him there, except to vote for Vance and Grogan?—I never brought him into the committee-room at all; I did not care whether he voted or not.

3312. You met him on the polling day?—I did.

3313. Were you surprised to meet him?—Not a bit.

3314. Did you vote about the same time?—He went out with Mr. Keating, I remained behind.

3315. Did he come back to the tally-room to you?—No.

3316. Did you see him that day after he had voted?—Not to my recollection.

3317. May you have seen him?—I might in a crowd.

3318. Were you surprised when he complained he got no money?—Not a bit.

3319. Did you not say that you expected the expenses of the freemen would be paid?—Byrne asked me would he get anything for his expenses; I said I do not know, I will ask; and I asked Mr. Keating would they get anything for their expenses, and he then said what I have mentioned before.

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3320. That was in the tally-room?—Yes; I said this gentleman wants to know, will there be anything given for expenses, and he seemed very angry with me; I think Mr. Keating said something about the price of the car, and then got up very warmly, and said he was surprised that I, being a professional man, should ask such a question.

3321. What was said about the car?—There was something said about car hire, that if he wanted a car to go home he might have it; but there was great confusion at the time; what was said I do not recollect.

3322. Did you expect that payments of any description would be given?—Certainly not; I thought they might give the expenses of the men coming up to vote, and I thought they might be entitled to some compensation for loss of time.

3323. Were you ever in Jones's public-house in Chamber-street in your life?—I do not know such a place.

3324. What do you mean by loss of time?—Not knowing the Act, I thought if a man were taken away from his business, and if he earned a shilling a day, he would be entitled to get something from the Members.

3325. Have you ever been in a public-house in Chamber-street, kept by Jones?—I might have been in it; I do not recollect.

3326. Were you in any public-house in the liberty about the time of the election, drinking, or seeing other people drink?—Certainly not.

3327. Were you in any public-house during the election at all, drinking?—I do not drink in public-houses.

3328. Will you swear you have never drank in a public-house?—I will not swear that I have not.

3329. At the election I mean?—I have no recollection of it one way or the other.

3330. How long were you engaged in Green-street on the day of the election?—I was not engaged there at all.

3331. How long were you engaged there upon pleasure?—I was there after voting, and I waited for half an hour and went back again, and then I went away and came back again about three o'clock to see how the poll was going on.

3332. Is it positively untrue that you ever promised Byrne any money for his vote or not?—Positively.

3333. Directly or indirectly?—Yes.

3334. You never asked him whether he had got any money?—I met him about six weeks ago, and he told me he had been badly treated, and I asked him, "Did you get nothing?" and he said, "No, not the thickness of my nail." And I said, "You knew that in the beginning, why did you vote"?

3335. Did you ever make an appointment with him to meet him at the committee-rooms?—Never.

3336. Did he ever make an appointment with you to meet you at Church-lane?—Never.

3337. That is perfectly false?—It is.

3338. You are incapable of telling a falsehood?—I hope I am.

3339. Did you ever stand in the dock?—Never.

3340. Were you ever convicted?—I never was convicted.

3341. Did you ever stand your trial?—I did.

3342. Did an issue paper go to the jury, "guilty or not guilty"?—I will tell you exactly about that.

3343. Were you tried upon a criminal charge, and convicted?—I will explain.

3344. Answer me first and explain afterwards?—I believe I was.

3345. You are an attorney, practising at police courts; is that what you say?—I believe I was convicted at my own instance; there was no trial.

3346. Did you plead guilty?—Allow me to explain; I was at law about some property which was in dispute, and the man whom I was at law with, was the son of a gentleman, a clergyman in this country. I established my right to the property in the Prerogative Court, and I got a sentence established in the will in my favour. This gentleman came over to Ireland and called upon me, and appeared very glad to see me. He had a natural son, and asked me how he was going on, and said he was entitled to a very large property; I said, "No, he is not, for I have established my right to it." The son had made some representations to me, in which there was not a word of truth; there was a man of the name of Fitz Symon, who wanted to get a bond from him, and I went into Mr. Burdon's

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Burdon's office along with him, and we were there chatting on some other business; and a few days after I got a summons to attend at the police office, and this young man there swore, that I was with Fitz Symon, and wanted to get the bond from him, and although it was no affair of mine, and I had nothing to do with it, we were indicted for a conspiracy, and all sent to trial; a few days after that I had a letter from the attorney, saying that he was very sorry the bills had been sent up, for he knew I had nothing to do with the transaction at all; but it was too late, for the bills had gone before the grand jury, and the men were prepared to swear anything. I was out on bail, and Fitz Symon and the other parties went over to England, and were lost in the Bay of Dublin. Mr. Curran and the attorney, Mr. Thomas, said they were quite satisfied that I was perfectly innocent. The recorder knew me perfectly well, and Mr. Thomas said, it is better for you to submit, it will save the exposure of a trial; the other parties are gone away; there will be nothing against you. I had not a soul in court, and the recorder said, It is better for you to submit, and Mr. Curran said there would be no more said about it; the consequence was, that I submitted, and walked out of court, and I have heard no more about it from that day to this.

3347. *Chairman.*] You did plead "guilty"?—I did; but the gentleman who was prosecuting me appointed me his law agent and receiver afterwards.

3348. What did the court say upon this?—They discharged me immediately.

3349 *Committee.*] Are you still an attorney on the rolls of the court?—Yes; the recorder said, "I am quite satisfied that Mr. Whithorne had nothing to do with it;" and the best proof of that is, that I was appointed their receiver afterwards.

3350. Mr. *Coffey.*] Was this the offence with which you were charged?—(*The learned Counsel read a copy of the indictment.*) I never read the charge against me, and never saw the bill; I never heard the charge before.

3351. Have you been suspended for improper practice, cheating people of a sum of 6 *s.*?—I never heard of it.

3352. Were you not suspended from practising in the Lord Mayor's Court for cheating a woman out of 6 *s.*?—I never heard of such a charge against me before.

3353. Is that as true as anything else that you have stated?—I say it is perfectly false; I have never heard of such a charge before until this moment.

3354. It is a mere matter of belief with you, whether you pleaded guilty or not?—I submitted to the advice of Mr. Curran.

3355. By the advice of the counsel who was employed to prosecute you?—Yes; he was a very intimate friend of mine.

3356. Do you say he has been a very intimate friend of yours?—Yes, I know Mr. Curran very well.

3357. He is an intimate friend?—I believe he is.

3358. And he advised you to plead guilty to this charge?—He did.

3359. Is not Mr. Curran a gentleman of reputation at the bar in Ireland?—Yes; he is one of the first crown lawyers that we have.

3360. And do you expect to be believed when you say that he who was employed to prosecute you advised you to plead guilty?—I do; the attorney against me wrote me a letter telling me he was quite satisfied the whole charge against me was false.

3361. *Committee.*] The attorney for the prosecution having assured you that the charge was entirely false that was the reason you pleaded guilty?—Yes.

Mr. *William Gibson*, sworn; Examined by Mr. *O'Malley.*

Mr. *W. Gibson.*

3362. YOU are a Solicitor in Dublin of considerable practice?—I am.

3363. And have been so for some years?—Yes, for 25 years.

3364. You were employed as election agent in 1852?—Yes.

3365. Were you applied to shortly before the last election to become an agent? I was.

3366. We have been told by Mr. Smith there was an anticipation of a very large majority?—There was.

3367. Were your first steps with a view of carrying on a regular contest or by way of precaution?—They were made altogether to prevent our being taken by surprise.

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3368. Did you conduct the whole business of the election?—I did; Mr. Martin, who had been managing the registration, was also employed with me to manage the election; but all directions as to the expenses of the election were confided exclusively to me.

3369. As far as you know, was there one farthing spent at that election except what was paid through the auditor's account?—Certainly not, to my knowledge.

3370. Have you had, since 1852, the confidence of the two Sitting Members?—I believe so.

3371. Do you believe that a farthing could have been spent by them without your knowledge?—I believe not; I have no doubt, in my own mind, that not a shilling was spent without my knowledge.

3372. Were the instructions to that effect?—Certainly.

3373. And the committees were aware of that fact?—Certainly.

3374. Whatever any members of the committee might do, had any one of them power to spend a farthing for Vance and Grogan except yourself?—Not one; the expenditure was exclusively confined to me; Mr. Martin was acting with me as conducting agent, but it was expressly understood that he was to have no control over the expenditure.

3375. Did you take the committee-rooms?—I did.

3376. Did you employ the clerks?—I did.

3377. Did you employ all the subordinates?—I did; some of the clerks had been engaged in the registration office, and those who had been engaged there before I continued them at the time of the election.

3378. Was the course of proceeding when you employed any of them to give them a card?—I did.

3379. And that card was to be their voucher afterwards to Mr. Cusack for payment?—It was; I had cards printed for the different situations to be filled, and I marked them, and gave them to the parties whom I appointed.

3380. Did you name the committee?—I put an advertisement in the paper calling on all the Conservative electors of Dublin to meet for the purpose of appointing a committee to promote the election of Grogan and Vance. It was our object to advertise as large a committee as possible for the purpose of showing our strength, and frightening our adversaries if we could.

3381. There are 15 wards in Dublin?—Yes.

3382. And a polling place for each ward?—Yes.

3383. On former occasions, did you have a separate ward committee-room for each ward?—We had, in 1852, a ward committee-room for each ward, and an additional one at Donnybrook.

3384. Did you see an advertisement for the Ross-lane rooms?—I did; advertising the rooms to be let during the election.

3385. Was there a committee formed for Ross-lane?—For the Merchants' Quay and Wood's Quay wards.

3386. Which assembled at Ross-lane?—Yes.

3387. Can you tell me some of the names?—Mr. Benson, Mr. Thomas Vance, Mr. Sibthorpe, Mr. O'Brien, who afterwards declined, and Mr. Harris.

3388. Was Mr. Harris, the gentleman who attended from that committee, at the general committee?—Mr. Harris attended very frequently indeed at the general committee.

3389. On behalf of the Ross-lane committee?—Generally he attended; I cannot say exactly on what ground.

3390. What office was Mr. Lilley appointed to?—Clerk.

3391. Did you appoint clerks to all the ward committees?—Yes.

3392. Was the clerk independent or subordinate to the committee?—Subordinate to the committee certainly.

3393. The freemen are scattered over the town there?—The lower classes reside in that district.

3394. In out of the way places?—I believe so.

3395. Had Mr. Lilley any authority to make any payments of any kind from you or any one connected with the election that you know of?—None whatever.

3396. Had you distinctly instructed Mr. Lilley that no expenses were to be paid or promised to freemen?—Distinctly.

3397. Were these the sort of cards?—We had cards filled up for all the persons who were marked in the list as Conservative voters, and we advertised that all

all such voters would find their cards at a lower room in Dame-street, and they were left in a box for the people as they called for them.

3398. Was Mr. Keating the clerk for giving out the cards?—He was one of the clerks; there were three or four of them down stairs for the purpose of giving out the cards; the freemen's were coloured red, and the freeholders' black, for convenience.

3399. Now, as to car tickets, what did you do?—In order to prevent giving money, I had car tickets printed, and the carmen were paid the shilling afterwards, so that no money should go through the committees.

3400. Did you inquire, when you employed a man, whether he belonged to Ross-lane, or anywhere else?—Not at all.

3401. Different friends recommended certain people to be appointed?—The most troublesome part of my duty was answering applications of parties for situations.

3402. You appointed so many inspectors, so many agents, so many clerks?—Yes.

3403. You, in fact, considered the two candidates as one?—Yes; I took an opinion upon the Act of Parliament, and I was within the number.

Cross-examined by Mr. *M'Donogh.*

3404. The most troublesome thing you had was the patronage?—Yes.

3405. There were many applications for each situation?—Yes.

3406. That pervades society at large?—I believe it is confined to Ireland.

3407. There were many applications for writing clerks?—Yes.

3408. You had to reject some?—A great number.

3409. Did you reject as many as 30?—I should think five times that number; a great many such letters I never opened.

3410. You are an attorney in large practice?—I have some practice.

3411. Were not several of those who were appointed connected with the legal profession?—No doubt they were.

3412. At first there was no anticipation of a contest?—We scarcely expected a contest.

3413. Like prudent generals you wished to prepare for a surprise?—We did.

3414. When before the election did affairs begin to look a little gloomy?—They were looking out for a candidate about ten days before they could get a colleague for Mr. Reynolds; at length they got Mr. Brady.

3415. A highly respectable gentleman?—No doubt of it; when he was announced, of course we expected a contest.

3416. It looked serious then?—We had no doubt of the result even then.

3417. When was Mr. Brady announced?—About a week before the nomination.

3418. Then matters began to grow serious?—It looked as if there would be a contest.

3419. You were not very sorry for that?—Indeed I was.

3420. Do you remember when Mr. Smith and you and Mr. Cusack talked of the expectations of the freemen of Ross-lane?—I do not recollect any exact conversation on the subject; I recollect Mr. Cusack speaking to me.

3421. Do you remember your three heads being there together, and Mr. Vance putting his head between them, and saying something?—I do not think we were speaking of Ross-lane then.

3422. He thought mischief was in the wind; was that the occasion when your three heads were together?—There were several occasions when our heads were together.

3423. There was a cloud looming in the distance then?—There was a chance of a contest; I do not think Mr. Vance said he would not have the support of the Ross-lane men; Ross-lane was mentioned, and he said no money should be given.

3424. Did you hear the expression that Mr. Smith swore to yesterday?—I could not say that was used; what was said was, that Mr. Vance would not pay any money to the Ross-lane men, and that nothing should tempt him to spend a shilling improperly.

3425. Did Mr. Lilley ever come to the room when you were there?—Yes, he did.

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3426. Was he ever refused admittance?—I do not think he was ever refused admittance; I was usually in the room from morning till night; I do not think he ever came at the regular hour of meeting.

3427. Did he come constantly to the committee-room?—I saw him there four or five times.

3428. Every day was he there?—I do not think he came every day.

3429. Was he there when Major Smith was there?—I could not say that.

3430. When Mr. Cusack was there, have you seen him?—Yes, I have.

3431. In the week from the 24th of March was there a day when Lilley was not there?—I rather think there were days when he was not there.

3432. You will not swear he was not there every day?—I will not; I have no recollection of his being there every day; the inclination of my opinion is, that he was not; he was often there; I have no wish to conceal anything.

3433. Was Mr. Downes a member of the general committee?—I do not think he was; I saw his name in the newspaper, but I do not know how it came there; I have examined the names in my book which I have here, and I do not find the name of Downes there; every one who came in and offered to put down his name, was put down as a committee-man.

3434. Have you seen Downes at the committee-room?—Yes.

3435. Frequently?—He has been there.

3436. In company with Lilley?—Yes, I think I have seen him.

3437. Did you hear Benson's evidence?—I did.

3438. Did you hear him say that the whole management of these wards was committed to Downes and Lilley, who called in a committee to their aid?—I do not think I did. Benson's evidence will speak for itself.

3439. You were not present at any meeting of the committee at Ross-lane?—I never was present at any of the ward committees.

3440. You never saw the committee at Ross-lane do a single act of business?—No; we nominated committees for each ward, and amongst others for Merchants' Quay and Wood's Quay. Of their acts or conduct I know nothing of my own knowledge.

3441. Is Mr. Benson alive and well?—Yes.

3442. And Mr. Sibthorpe and Mr. Harris?—I think so.

3443. Mr. Harris came frequently between the Ross-lane and the general committee?—I do not know that he came between the Ross-lane and the general committee; he came frequently to the committee.

3444. Did you see Lilley's account before it was submitted to the election auditor?—I did.

3445. Is it in its original state?—I do not think that "due by Grogan and Vance to John Lilley," was in it.

3446. Was it you who suggested that to the auditor?—No. I do not think that was in it when I saw it at the committee-room.

3447. Did you say that to the auditor?—Yes; before he was examined.

3448. Did you mention this to the auditor?—I mentioned it instantly.

3449. Is it in your memory that the pristine condition of that paper was that there was neither debtor nor creditor at the top?—I do not think that was there when I saw it. I think it is likely I would have objected to it. I will not swear whether it was or not.

3450. What do you think?—My opinion is that it was not there. I think that was the case with all the ward committees.

3451. "Due by Grogan and Vance to John Lilley" was not there originally?—I think not. I will not swear it was not.

3452. Benson says that Lilley and Downes were considered to be the managers for these wards, and they invited gentlemen to come and act as committee-men?—That is not altogether true. There was a committee appointed by the general committee, with power to add to their number; and my instructions were to get as many of the neighbouring gentlemen as they could to meet them.

3453. *Committee.*] Then that is true; you instructed Lilley to add to their numbers?—I gave Lilley a parcel of summonses for the committee, as I did to all the wards, to summon the people in the neighbourhood to attend the meeting to enlarge their numbers.

3454. Mr. *M'Donogh.*] Did you not instruct Lilley to get gentlemen in the neighbourhood to be committee-men?—So far as that, I did.

3455. As to the acts of the committee you know nothing?—Of the way in which they acted I know nothing.

3456. Who was it provided the envelopes in which the letters were inclosed to the committee?—To every ward committee I sent both the circulars and the envelopes.

3457. Do you know that Downes made Lilley expend, through Benson, 2 *s.* 6 *d.* for envelopes?—I think he said for stamps.

3458. You investigated this account before you let Mr. Cusack certify it?—I did not; I looked over the account.

3459. Did you not examine it before you let the agent for election expenses pass it?—I examined the account, and Mr. Cusack passed it, with my sanction.

Re-examined by Mr. *O'Malley.*

3460. You gave a certain number of names for a committee?—I did.

3461. And you gave envelopes and circulars?—I did.

3462. Was that for the purpose of informing the members of the committee of the meetings?—Yes; "You are requested to attend a meeting of this ward, at such a time."

3463. Was it your instructions to Lilley that these meetings were to be called for the purpose of carrying on the election?—Certainly.

3464. Did you ever give Lilley any instructions whatever, directly or indirectly, to take the management of the election in that committee-room?—Certainly not.

3465. Is this the usual form in which the bills have been made out?—We had no regular form; they sent in the particulars of their expenditure, and the parties who were to be paid the money in each particular ward.

3466. A similar one in each ward?—In many instances two wards are combined together.

3467. When you said, with power to add to their numbers, was it the committee who were to add to their numbers, or Mr. Lilley to do so?—That I could not well say; I might have said to Lilley, "Send these circulars out as extensively as you can; get as many people to join as you can;" he came to me two or three times for fresh circulars.

3468. Were the circulars given to the clerks of each ward?—Sometimes the clerk, sometimes a member of the committee.

3469. You say you do not think Lilley ever attended a meeting of the committee?—I do not think he ever did.

3470. It was his duty, as clerk, to attend the committee?—Yes; the clerks all came there constantly.

3471. Did you not, in other wards, get the sexton to act as clerk, from his knowledge of the locality?—In almost every instance I applied to the sexton to act as clerk, as being more conversant with the lower order of Protestants than any one else.

3472. *Chairman.*] You appointed Mr. Lilley clerk for the Wood's Quay ward?—I did.

3473. And Mr. Downes?—I appointed both the same day; they called on me, and answered the advertisement.

3474. Did you give Lilley a ticket?—No; I gave no ticket to any of the ward people.

3475. How do you account for Downes not sending in his bill himself?—That was not done in any case; there was only one bill sent in from each committee.

3476. This was not a bill of Lilley's, but from the committee?—Certainly not from Lilley; I recollect Lilley and Downes came together with the bill.

3477. Did you appoint Thomas Tighe?—I cannot say; I did not employ any of these people who are named in the ward list.

3478. Did you think it was within the scope of Lilley's authority to appoint these men?—Certainly not; it would be the act of the committee; each ward had a power to elect three tally agents on the day of election, and the selection of these people rested with the ward committee.

3479. Had the committee the power to incur the expense for cars?—They said they could not do the work in the liberty without the assistance of cars; I refused to allow them cars on the day of election; these cars are charged for two days before.

3480. Specially for this district?—There were one or two others.

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3481. Did you hire these committee-rooms at Ross-lane?—I did, expressly myself.

3482. Were these names submitted to you?—I do not think they were.

3483. You consider they were appointed not by Lilley, but by the committee?—I consider they were.

3484. Was not the special direction as to the car hire given to Lilley?—I think it was.

3485. *Committee.*] Had you any agents in charge of the local committees?—I went once or twice round the committee-rooms to inquire how they were attended to, and I sent repeatedly.

3486. Did you appoint any agent to be in charge of each committee-room?—No.

3487. Who was in charge of this committee-room as your representative, managing the affairs of the election?—We had no representative in each of the wards, further than the ward committee; I occasionally sent round one of the gentlemen assisting me to make inquiries, and see how they were progressing.

3488. Whose clerk was Mr. Lilley?—I should say he was the clerk of the committee; I employed Mr. Lilley.

3489. He was your clerk?—I employed him as clerk of the committee; he did nothing out of the ward to my knowledge.

3490. And Downes?—I employed Downes in the same way.

3491. Whose clerk was he?—The clerk of the committee too.

3492. They were joint clerks?—I recollect mentioning this; I said, "One of you should always remain in the committee-room to give information to people coming who do not know if their name is on the list; another should go about and ascertain the changes in the residence of voters, so as to send circulars to them."

3493. Was any specific person responsible to you for conducting the business of this committee-room except Downes and Lilley?—No; I do not conceive that Lilley and Downes were responsible; there was no responsibility on the part of any of the committees; my own impression is, that they did not do a great deal; they were collecting information more than anything else.

3494. If you employ a clerk to look after the affairs of the committee-room, is he not responsible to you?—There was no person responsible in any one of the ward committees; they were to get as much information for me as they could; it was more with a view of having people to assemble there on the day of polling, and to find out the change of residence of the freemen.

3495. And to do what was necessary for the purpose of advancing the election?—Yes.

3496. For all the general business you looked to the clerk?—No, certainly not.

3497. To whom then?—I looked to the committee. I did not know how many freemen there were in Ross-lane. I looked very much to Mr. Harris, who was popular amongst the freemen, and an employer in the Liberty, and to Mr. Mansell.

3498. Did they engage with you to conduct the business of the election?—No, not with me.

3499. Was it an understanding with you and them that they should conduct the business of that committee-room?—No.

3500. You, in fact, looked to the committee?—Yes; and in addition to that, I begged of Mr. Mansell to go down; he was a great favourite with the freemen.

3501. Had Lilley authority to incur any expenses generally?—Not to the value of 1 *s.*; I would not allow him to buy a quire of paper.

3502. This sum charged to Benson for rent of committee-room, was that by you or Lilley?—By me.

3503. Who employed Downes?—I employed him; I did not employ any of the people mentioned in that list.

3504. Was that done by the committee?—I really do not know.

3505. *Chairman.*] You think they had power to appoint tally clerks?—Yes; they were specially entrusted by me with that particular duty.

3506. Mr. *M'Donogh.*] Did you not give Lilley special directions about the hiring of the cars?—He told me they could not go through that ward without cars, and I told him he might employ a car or two.

3507. Did you give the committee directions to employ Tighe and these people?—I over and over again told the committees what they were to do.

3508. Was Lilley present then?—I think he was.

Ralph Cusack, Esq. sworn; Examined by Mr. *O'Malley*.

3509. I BELIEVE you are a Magistrate of the county of Dublin?—I am.

3510. Were you the honorary secretary of Messrs. Vance and Grogan's committee in 1852?—Yes.

3511. Were you the agent for the election expenses in 1857?—I was.

3512. Did you certify for payment of expenses incurred?—I did.

3513. Did you pay one farthing on account of that election in any way that is not comprised in the auditor's account?—Not one penny, except some small sums for preparing a poll-book, which I did not hand in, not considering it connected with the election.

3514. Did you receive instructions from the candidates what you were to pay or allow?—I did from both the candidates.

3515. Tell us what those instructions were?—I received very special instructions from Mr. Grogan; I had an interview with him at his house in Harcourt-street, either the day he arrived from London or the morning afterwards at breakfast; we had a good deal of conversation about the coming election. He asked me whether I had read the Act very carefully, and gave me very positive directions to take care that no parties should be employed who were not provided for by the Act, or paid more than was authorised by the Act. And after a good deal of conversation, when I was leaving him, Mr. Grogan informed me that he was ready to pay every fair and legitimate expense, but he said, taking me by the hand, before you leave me you must make one promise as a friend and brother Freemason, that if one shilling, illegally spent, will win my election, I will not spend that shilling.

3516. Did you also receive instructions from Mr. Vance?—Mr. Vance was constantly at me about it.

3517. Do you know, as a fact, that several voters did not come up to vote in consequence of their election expenses not being promised?—A great many gentlemen in the country, freeholders and leaseholders, told me they would not come up unless their expenses were promised, and there are several instances in which I directed letters to be sent, saying no expenses could be promised, and I found from the list that many of those gentlemen did not vote.

3518. Several gentlemen did not come up, but held back and did not vote:—There were gentlemen in our committee-room during the day who requested me not to send for them except they were absolutely wanted, and knowing we were ahead from the very first hour, I never asked those gentlemen to come up.

3519. Among the rest I believe there was Mr. Grogan's own brother?—He was in England, and we did not think it necessary to ask him.

3520. We have been inquiring about the people employed from Ross-lane; were you present when a list was submitted to Mr. Gibson of names to be employed?—I was.

3521. Who was it presented by?—On the afternoon of the day of the nomination, Mr. Lilley and Mr. Downes called at the committee-room in Dame-street, and they had with them a list of 25 or 30 persons, whom they said they would wish to have employed on the day of the election; they submitted that list in my presence to Mr. Gibson, who said "That is all nonsense, we will have only the number authorised in each ward;" and he directed them to amend the list and select the parties whom they wished to be employed; they then submitted the names to him of three tally clerks and a messenger for each ward, and returned him a list, and he said that will do.

3522. Have you been long acquainted with Mr. Grogan?—A great number of years.

3523. And with the business of the election?—Yes.

3524. Do you know of one farthing having been spent or provided in any way for the election beyond what appears in the auditor's account?—Not one shilling, and I do not believe one shilling was spent beyond that.

3525. Do you know Lilley?—Yes.

3526. Had Lilley any money supplied to him?—Not a penny; there was not a penny paid to him on that account.

3527. Was he ever authorised to promise anything or any expenses to any freemen?—On the contrary, he was repeatedly cautioned both by myself and by Mr. Gibson.

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3528. What to do?--Not to promise one penny, that nothing whatever would be paid to him.

3529. Did you employ clerks in sending out circulars before the election?—I did; Mr. Gibson did not take the management of the election till we had prepared some of our circulars; he came over to London to have an interview with the Members previous to his taking the management, and I think I employed 20 clerks to direct envelopes and send out circulars to have the voters ready.

3530. Are you a patron of this society?—I am; but I never was there, except at one meeting, in my life, the night when Mr. Vance spoke.

3531. Do you know of the offer that was made by Vance and Grogan in 1853?—Yes; I accompanied Mr. Grogan and Major Smith to a meeting of the Protestant Orphans' Society, and I heard Mr. Grogan make that proposal.

3532. What was it?—That he and Mr. Vance would subscribe a sum of 500*l.*, provided the committee of the Protestant Orphans' Society could succeed in getting an equal sum subscribed by public subscription within 12 months.

3533. Is this one of the reports of the society?—Yes, it appears to be.

3534. Were you present in 1857, when Mr. Vance spoke on the subject of that offer?—I was at the meeting in Ross-lane.

3535. What was said?--Some person in the crowd roared out, "What about the 500*l.* for the Orphans' Society," and Mr. Vance said, I will explain that presently; he then detailed the result of the interview of Mr. Grogan with the society, and of the offer which they made, which they were quite ready to have carried out, but the committee of the Orphans' Society failed in collecting their 500*l.*; I do not think they collected more than 37*l.*

3536. Did he say one word about paying that unconditionally?—Not a word.

3537. Did you ever inquire in the appointment of clerks, whether the parties belonged to Ross-lane?—No, never.

3538. Though the appointments rested with Mr. Gibson you were in the room?—Yes, I was constantly assisting him in making out the appointments and giving him the character of the people, although the appointments entirely rested with him.

3539. Was it the course of the election for it to be carried on by the agent, Mr. Gibson, with the assistance of the local committee?—It was the same as in 1852.

3540. Did you trust the conduct of the election to these local committees?—Yes, we were obliged to do so; we had only ten days to prepare for the whole election.

3541. Mr. Lilley and Mr. Downes were appointed clerks to the committee?—They were, one for Wood's Quay, and the other for Merchants' Quay.

3542. Were there clerks in each of the other wards?—In every ward.

3543. Were those clerks subordinate to the committee?—Certainly, they were; and these committees were subordinate to the general committee, and the whole thing, in a great measure, was subordinate to Mr. Gibson himself.

3544. Did the members of the local committees attend from time to time the general committee?—The course of proceeding was that we had a meeting every day of the general committee, at four o'clock, and Mr. Gibson used to call the wards one after another, asking if any gentleman wished to make a report from such a ward, and if any special report had to be made, the member who was present gave in his report.

3545. Were there at these meetings such instructions as were necessary given to the ward committees?—There were.

3546. Do you remember Mr. Harris attending from the Ross-lane committee?—I could not tell you exactly who attended from that committee, but I know that Mr. Harris was very active about these wards, and that he and Mr. Mansell were repeatedly there.

3547. On the day of polling was Mr. Mansell sent down to take the whole management there?—He was, and did take the whole management there along with the committee; he was the party sent down from the general committee to assist and act with the local committees of these wards.

3548. Is he a patron of this society, like yourself?—He is.

3549. These local committees were subordinate to the general committee?—Certainly; they took their instructions, and gave in their reports every day at four o'clock.

3550. Had they authority to take any course for themselves, or do anything without receiving instructions from the general committee?—I think not; I think they gave in their report every day; there was a course chalked out for them by Mr. Gibson, of getting information as to the change of residence of voters, and so on.

3551. You saw this account?—Yes; it is admitted on behalf of Vance and Grogan, half to each, and signed by me.

3552. Were these words at the top in Lilley's handwriting when they were signed by you?—Certainly not—"Due to John Lilley"—for I should not have passed it. These accounts were generally brought by one party whom the committee sent, in many cases the secretary of one of the committees, and the money was divided among the parties entitled to it.

3553. Whoever brought it to you, if you saw that they were legal expenses you allowed it?—I did. As well as I can remember, when Downes and Lilley came to me they both came together; they brought with them a list of tally clerks and messengers which they had submitted to Mr. Gibson on the day of nomination. I knew they were legally entitled to the rent of the house, and that the names of the clerks were all right, as I had a list of them in each ward.

3554. Do you know Alexander Brown?—I know he was a pauper in the North Dublin poorhouse, of which I happen to be the chairman.

3555. Was he employed as a writing clerk?—He was.

3556. Is he a very good writing clerk?—He is a first-rate clerk.

3557. Had his being a voter anything to do with his being so employed?—Nothing whatever.

3558. Did you ever make any bargain with him about his vote?—Never; I do not think I ever spoke to him from the time he was employed up to the present moment, except that I met him one day, and he told me he had been summoned, and I said, "Very well."

3559. Did you apply to Mr. Gibson to employ Peter Nettleton as a tally clerk?—I did.

3560. Had that anything to do with his vote?—Nothing whatever.

3561. Was there a deficiency of them?—I thought there was.

3562. After the election, did you ever give any promise to Lilley about paying money to the freemen?—None whatever; neither to Lilley nor anyone else, either directly or indirectly.

3563. When you paid anyone did you require the production of his card of appointment by Mr. Gibson?—I think in every instance the card of appointment signed by Mr. Gibson was produced, with the exception of some three or four, and in those cases I distinctly refused to pay until they had got Mr. Gibson's written instructions. I knew parties myself who worked at the election, and Mr. Gibson refused to sanction their employment, and they were never paid; and I think he acted very unjustly in two or three cases.

3564. Did John Reed go to you and make a complaint of Lilley's not having paid him?—I could not tell you, for above 25 fellows came to me and said they had been working at the tally-room and had not been paid; but I can positively swear that I never signed an order on the auditor without having first got, in writing, Mr. Gibson's signature to the man's appointment.

3565. Did anything of this kind pass: "Lilley told me to get a document from Mr. Cusack to certify that I had been employed"?—I never paid him unless that document was countersigned by Mr. Gibson.

3566. Did you ever tell him to go to Mr. Gibson?—I do not think I did.

3567. Did you ever pay on Lilley's order without Mr. Gibson's signature?—Never, in any one case; I would not pay on my own responsibility, without Mr. Gibson's order.

Cross-examined by Mr. *M'Donogh*.

3568. You were one of the committee?—I was the honorary secretary.

3569. And a personal friend of the candidate?—Yes.

3570. When was it you had a meeting with Mr. Grogan in Dublin, when he addressed you as a brother mason?—I should say, about 10 days before the election.

3571. You discussed this new Act of Parliament?—He asked me whether I had read it; we did not go into the clauses.

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3572. He pointed out the difficulties?—The principal difficulty he alluded to was the travelling expenses.

3573. And that it was a perilous act?—He said it was very dangerous as to paying travelling expenses.

3574. He said, "I am ready to pay every legitimate expense, but mind, not a shilling otherwise"?—To the best of my recollection, he said in substance the words which I have given you.

3575. At that time there was no prospect of a contest?—I will not say that.

3576. Had any colleague for Mr. Reynolds been fixed upon?—I think not; but I felt convinced that Mr. Reynolds would stand as he did in 1852.

3577. You beat him in 1852?—Yes.

3578. What was your majority then?—One thousand five hundred.

3579. What was your majority this time?—Mr. Grogan about 400, and Mr. Vance about 300.

3580. Did you sympathise in the disappointment of Major Smith with regard to the small majority?—I was greatly disappointed; I myself drew up the report of the Conservative Society, which gave us a majority of 2,487.

3581. And the thousands vanished?—Yes.

3582. You saw that in the early part of the day?—I saw in the early part of the day that our majority would not be what I expected; but we got very accurate returns every hour, and we were ahead throughout the whole day.

3583. Do you remember when the gallant fellows from Ross-lane went to the poll?—No; I was in the committee-room the whole day.

3584. Were you present when Mr. Vance said he would rather lose the election than win it by the Ross-lane men?—I do not remember that, but I heard him repeatedly say he would rather lose the election than win it by paying the freemen a single shilling.

3585. Do you know that they are purchaseable commodities?—I do not believe they were purchased in 1852 or 1857, but I have heard that in former days they were; and I have heard that a good many were bought on the other side this time.

3586. When you were greatly disappointed in the earlier period of the day, did you make efforts to rally and increase your majority?—Not in the least, any more than we should have made if we had been 1,500 ahead.

3587. You did your duty?—We used all diligence.

3588. Was it on the evening of the nomination that Lilley and Downes came and showed a list of 25 or 30 persons they wished to be employed on the day of polling?—I cannot say the number; there was a long list of parties.

3589. Have you got that list?—No, it was returned to them.

3590. Did they say they wanted these men to attend at the polling-place?—They told Mr. Gibson that the polling-place was a great distance from the Ross-lane committee-room, and that it would take a long time to bring voters to the poll, and that three tally-clerks could not do it, and wanted him to appoint others, but he would not travel out of the usual course.

3591. Were you a patron of this society from its commencement?—I think I was shortly after its commencement.

3592. Were you the agent for the Conservative Registration Society at that time?—I may have been one of the two honorary secretaries, but I think Mr. Long was the acting one.

3593. You never were in the Ross-lane rooms except on this one occasion?—Neither before nor since.

3594. Did I understand you to say that you never allowed or sanctioned any account unless through Mr. Gibson?—Unless it came sanctioned by Mr. Gibson.

3595. You were not present at any of the acts of the committee in Ross-lane?—No.

3596. At four o'clock, when Mr. Gibson was calling over the several wards, who appeared to answer for Ross-lane?—I could not tell you who answered for any ward.

3597. Did you not see Mr. Lilley there?—I do not think that Lilley was ever allowed into our committee-room at any meeting of the committee; he was in and out of the room, but I do not think he was ever allowed to attend a meeting of the general committee.

3598. Can you swear that?—I will not swear positively that he was not present at a meeting of our committee, but I will swear that if I had seen him there,

or

or our chairman had, that he would have been directed to withdraw, he may have got in in a great crowd.

3599. Were there representatives from the various wards present at four o'clock?—I cannot say the representatives attended every day, but it was their duty to do so.

3600. Did not the clerks use to attend from each ward to give account of what occurred?—No; I think it was a member of the committee.

3601. You would have excluded Lilley if he had tried to come in?—From a meeting of the committee, I should.

3602. You knew Lilley was the president of the society?—I did.

3603. And familiar with all the freemen?—Yes.

3604. Did you hear Major Smith tell us that his duty was to keep the freemen together?—I do not remember his saying that.

3605. And to keep them from the enemy's camp?—I do not remember it.

3606. Was that any portion of Lilley's duty?—I think it was his duty as clerk of a particular ward, not only to keep the freemen together, but the householders in that ward as well.

3607. Do you know Mr. Judkin Butler?—I do.

3608. And Alderman Hudson?—I do.

3609. Gentlemen of respectability?—Both.

3610. What ward had they the management of?—I think the Mountjoy an Rotunda wards.

3611. Where did Mr. M'Comas, a person of the same character, preside?—He lives at the North Dock.

3612. And Mr. M'Guire, of Dawson-street?—He had one of the south wards.

3613. Were those gentlemen members of the local committees?—Yes.

3614. As well as clerks?—None of them were clerks.

3615. Mr. M'Guire was not a clerk?—No; he was a member of the general committee, and a very clever manager of one of the local committees.

3616. Was not Mr. Mansell, on the day of polling, sent to Ross-lane?—I think he was repeatedly sent to Ross-lane, and particularly on that day.

3617. Were you present when he was directed to go that day?—I was.

3618. Is it not a fact in your own knowledge that it was on the day of polling that Mr. Mansell was sent there?—He was sent for on the day of polling, and I think repeatedly before.

3619. Of that you are not positive?—No.

3620. Have you the letter which Brown wrote you when he was in the union soliciting employment at the election?—I have it not with me, I had hundreds of them.

3621. Did you destroy that letter?—When we were leaving the committee-rooms in Dame-street, there was a heap of letters, and I directed a clerk to sort them, and see if there were anything particular, and to burn the rest.

3622. Are you able to say, that that was destroyed?—I think so.

3623. You are well acquainted with the list of the freemen?—Yes; I have a very fair knowledge of them.

3624. Have you repeatedly investigated the books?—Frequently.

3625. Did you know that Alexander Brown's name was not on the list of freemen?—I should think I did.

3626. Have you the slightest doubt about it?—I cannot swear positively; most likely I did.

3627. Did you direct Keating to write a reply from the committee-room to Brown?—I have no recollection whatever of having done so, but the man was employed, and I am sure it was by my orders; Mr. Gibson had not taken the management then.

3628. How soon after the election did Brown re-enter the poor-house?—I cannot say; I think very soon; unfortunately for him, as soon as ever he left employment, he drank his money.

3629. Since the election, have you employed him as a scrivener at the poor-house?—Never.

3630. Do you know he has been so employed?—I do not, I know that the clerk to the poor-house has the assistance of some of the paupers occasionally in making out his books, and on passing through the office he has repeatedly called

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my attention to what a good clerk this man was, and asked me to get him employment.

3631. Was it not Keating who wrote to him from the committee-room?—Most probably it was.

3632. Was he employed at the poor-house after the election?—Not to my knowledge.

3633. You, as chairman of the union, took him out of the poor-house to be employed at the election?—I did not say I took him out of the poor-house; I think he stated himself, what is more likely to be the case, hat having left the poor-house, Keating wrote to him and told him there would be employment.

3634. The man left the poor-house first, and then wrote for employment?—That is my impression; I may be wrong.

3635. You know he voted at the election?—I presume he did; I cannot swear it.

3636. Did you know Nettleton was a voter?—I think I did.

3637. Do you remember his coming to the committee-room on the day of the election?—I remember on the morning of the election a great crowd at the committee-room, and my asking Mr. Gibson to employ a few more persons to bring people to the poll, and I mentioned Nettleton's name amongst others, and he employed three or four of them.

3638. At what hour was it?—It must have been in the morning.

3639. Did you ask him, was he going to vote?—I do not think I did, I have no recollection whatever of it.

3640. This is his evidence: "I spoke to Mr. Cusack, and he asked me, was I going to vote; I said, 'Yes, certainly;' he bade me go vote, and then appointed me as a messenger, or a man to be in readiness when called upon"?—It may be all very true, but I have no recollection whatever except of having the appointment from Mr. Gibson, and the document I gave him was the card of appointment.

3641. Will you swear Mr. Gibson was there?—He must have been, for I never appointed any one, or filled up their name in the card.

3642. You say everything he has stated may be true?—Yes.

3643. Do you make any exception?—The only thing I remember is having asked Mr. Gibson for employment for him.

3644. Had he asked you for employment?—Yes; he had asked me three or four times before, and had asked Mr. Gibson.

3645. Did Lilley apply to you after the election, and tell you the men were greatly dissatisfied?—When Lilley brought me his account, he brought me another account on a separate sheet of paper of 16*l.* for the attendance of people at the nomination, and I repudiated it at once; and I said, "The Members will not pay one penny of it," and he then said, "Perhaps you will give me your subscription and others which are due for this year, that we may re-lodge the money." The Members had been in the habit of subscribing 5*l.* each, and myself 2*l.*; I told him the societies were very great fools for having spent their money in this way; he said, "They do not exactly want it, but they have spent their own money, and we would like to re-lodge the money in the bank; give us the Members' subscriptions for this year." I said, "I will give you no money any more, and neither will I subscribe again, and I will persuade the Members not to do so." He applied for their subscriptions, which were due the 1st of May, and I refused to pay them.

3646. Where is the account for the 16*l.*?—I gave it back to Mr. Lilley; I repudiated it entirely.

3647. Can you tell me the items in that account?—I think there was but one item, as well as I can remember.

3648. What was it for?—For so many attending on the nomination day.

3649. Do you know the strange gentleman who went to Ross-lane to ask them to send men down for protection?—I do not.

3650. Did he talk to you about any other account?—No.

3651. Did he ever speak to you after that about the men being dissatisfied?—I cannot say he did; he told me at the time that the members of the society would be very much disappointed if the committee were not able to replace the money in the Royal Bank, and for that reason he would try and get in some subscriptions; I said, "You shall never have my subscription again; and I will advise the Members never to give theirs."

3652. You mean the committee at Ross-lane?—Yes.

3653. Of which you were the patron?—Yes, they used my name.

3654. Did you ever give your consent?—I do not recollect that they ever applied to me for my name.

3655. When did you get this printed report?—I think in 1853.

3656. When did you last pay any subscription to this society?—The last I paid was on the 7th May 1856.

3657. Was it paid yearly?—It was due the 1st May each year.

3658. At the time of the election it was not due?—No; they wanted me to advance it in April, and I refused.

3659. When was this election petition threatened?—I cannot fix the date exactly; a short time after the election we began to hear of it.

3660. Had you heard of it before Mr. Lilley produced this account for 16 *l.*?—No, certainly not; that was two days after the election.

3661. Was it not stated in your presence on the 31st of March that a petition would be presented?—I do not remember; I certainly never believed at that time there would be any petition.

3662. Did you not hear Mr. Reynolds state that?—I was at the declaration of the poll, he may have stated it.

3663. How soon after this did Lilley speak to you again?—I do not remember Lilley ever asking me for this payment, except on one occasion, which I take to have been the 6th of April.

3664. Did he state to you that the freemen were dissatisfied?—I do not think he did after the 6th of April.

3665. Will you swear he did not?—I am almost positive he did not.

3666. Will you swear he did not?—I am almost positive; I cannot swear it.

3667. Did you ever call on Mr. Lilley at his house after the election?—I never was in his house in my life, and I have no idea where he lives.

3668. Did he call upon you?—No; he never was in my house in his life.

3669. How often did you meet him after the election?—He repeatedly came into the back office of the Conservative Registration Society, but I never had any private conversation with him; I might have seen him.

3670. At any time after the 31st of March did he ever say the freemen were dissatisfied?—Never, except on this day, the 6th of April.

3671. What dissatisfaction did he then express?—It was not from the freemen; it was from the members of the society, at not having this 16 *l.* refunded to them.

3672. Had you ever any conversation with Lilley as to the time for lodging the petition?—I do not think I ever had.

3673. Will you swear it?—I am almost positive of it.

3674. That you never had any conversation with Lilley as to the time of lodging the petition?—I do not think I ever had; I will not swear it; he is a person I had very little conversation with.

3675. You will not swear you had not?—I will not swear it; I do not think I had.

3676. Is Lilley here?—I think he is.

3677. Was Mr. M'Comers agent for the North Dock Ward?—Yes; this is admitted by me on behalf of the North Dock Ward.

3678. You approved of that payment?—I had no doubt of it.

3679. Now, as I understand you, this bill was presented to you originally by Lilley when you approved of it before he had written his name at the top?—This is the account that Lilley and Downes brought me both together; these words were put in since I saw it.

3680. *Chairman.*] When Lilley came to you he made a demand for 16 *l.*?—Yes; on the day he brought that account, which I take to be the 6th of April, presuming that he was paid by the auditor on the day he came to me.

3681. He stated this money had been paid out of the funds of the society?—That the Committee of the Freemen's Fellowship Society had drawn out this sum of 16 *l.* for the purpose of paying the men to attend the nomination.

3682. And he asked you to replace it?—Yes; the committee were anxious to replace it in the bank again. I said not a shilling of it would ever be repaid; he said he should get into a scrape if it was not put back, and perhaps I would pay my subscription and that of the Members; I said I would not pay my own, and I would advise the Members not to pay theirs.

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3683. *Committee.*] Have those subscriptions been paid since?—No.

3684. You say he produced an account for 16 *l.*?—A written memorandum.

3685. What was it?—For so many men attending on the day of nomination.

3686. At so much a head?—I am not sure of that being specified; the sum was either 16 *l.* or 16 *l.* 16 *s.*

3687. Was there any calculation for the number of persons?—No; I gave it him back at once the moment that I saw what it was.

3688. Was it for 10, 20, or 100 persons?—I could not speak to the number with accuracy.

3689. Was there only one item in it?—There was only one item.

Edward Grogan, Esq., a Member of the House, sworn; and Examined by Mr. *Rodwell*.

E. Grogan, Esq. M. P.

3690. YOU are one of the Sitting Members for Dublin?—Yes.

3691. When were you first returned for that city?—In 1841.

3692. I believe you represented that city to the present hour?—Yes.

3693. In 1852, Mr. Vance was first returned with you?—Yes.

3694. With regard to the election of 1852, from your knowledge of it at that time, and what you have known subsequently, was there any money spent improperly or illegally at that election?—I believe not.

3695. From 1852, up to the registration in 1856, under your directions, had considerable attention been paid to the registration?—Very great attention.

3696. You had taken pains to ascertain the number of votes upon which you could rely?—There was a report from the Registration Society, and Mr. Cusack took a very active part in the management of it; an annual report was made from it, and the last report showed a very large numerical majority on the Conservative interest.

3697. Was that majority something over a thousand?—It was more.

3698. Whom did you employ at the last election, as your agent?—Mr. Gibson; and Mr. Martin, who took a very active part in the registration, was employed under Mr. Gibson.

3699. And Mr. Cusack was agent for the election expenses?—Yes.

3700. With the exception of those two gentlemen and Mr. Martin, was any one at the election authorised to act for you in any way?—No.

3701. Were you in communication yourself with other parties with reference to the election, as to the expenses and its conduct, except those gentlemen?—No, I did not authorise any one to expend a shilling, or employ anybody.

3702. You attended your committee-rooms occasionally; that is, in Dame-street?—I was constantly in and out.

3703. As to expenditure, all your communications were with those gentlemen?—I had very little communication on the subject of the expenses. Mr. Cusack wanted some money for the current expenses, and I was desired to lodge some money in the Provincial Bank, to the credit of the election auditor (Mr. Tudor) and Mr. Cusack, and I lodged 1,000 *l.* I afterwards paid Mr. Cusack, once or twice, some odd sums of money, and I think I made a second lodgment in the bank, but I paid no other money to any one.

3704. Did you authorise any other person to pay money but those gentlemen? Certainly not.

3705. Were you particularly anxious and careful in this election, as to the expenditure of money or promises? Did you give instructions to your agents to be particularly careful?—I expressed the strongest wish that no illegal expenditure of any kind should be incurred.

3706. As to the payment of travelling expenses, and doubtful expenses, you were guarded in not promising them with a view to render your election safe?—The matter was discussed in the committee, and I think counsel's opinion was taken upon it; I had letters written to myself, to know if travelling expenses would be paid; and I understood, in every instance, that no payment whatever was made.

3707. Do you know of a society of freemen, who have their meetings in Ross-lane?—Yes.

3708. Did you ever yourself attend any of those meetings?—No.

3709. Do

3709. Do you know a person of the name of Lilley?—Yes, I have seen him frequently.

3710. Did you ever put yourself in direct communication with him with reference to the election?—No.

3711. I need hardly ask you if you gave him any authority, direct or implied, with reference to your election?—Certainly not.

3712. You are a subscriber to the Freemen's Society in Ross-lane?—I was a good deal absent from Dublin, and Mr. Cusack has, on more than one occasion, paid my subscription for me, and I have repaid him.

3713. Something has been said in the course of this inquiry with reference to a sum of 500 *l.*, to be added to another 500 *l.* to be raised by the Protestant Orphan Society; will you tell us what passed in reference to that?—We considered that the freemen of Dublin had behaved exceedingly well in the election of 1852, and there was no money whatever, as I either know or believe, given to them. Mr. Vance and myself were anxious, if possible, to assist them in some way, as many were in poor and distressed circumstances; and after talking over several plans, it was suggested that if we could give some of their orphan children a superior class of education, it would put them in a way of earning their future living; and accordingly a proposition was submitted to the Protestant Orphan Society to know if they would undertake to carry out such a proposition; that is, we would subscribe between us 500 *l.*, provided a similar amount could be raised. It was obvious that the interest of 500 *l.* would not go but a small way, whereas if 1,000 *l.* could be raised it might have had the effect of obtaining the education of some of their children. The committee of the Orphan Asylum undertook it, and the matter lay over for two or three years; and early in the spring of the year I received a letter from the secretary, saying they were unable to raise the money, and that they had only been able to raise 37 *l.*

3714. For the purpose of securing any votes at the election, was anything said by you during your canvass, publicly or privately, as to your paying down 500 *l.* for the purposes of this election?—No.

3715. Was anything said during the election with reference to a payment of 500 *l.*?—Not by me.

3716. Publicly or privately?—Neither.

3717. *Chairman.*] The subject was never mentioned?—Not by me; it may have been asked, but I never made any promise, for I never intended it.

3718. Mr. *Rodwell.*] A few days before the election had you an interview with Mr. Cusack at your own house?—Yes; he called on me early in the morning.

3719. Did you have some conversation with him as to the conduct of the election?—Yes.

3720. Did you press on him your strong desire to have the election conducted on the purest possible principles?—Yes.

3721. You made it almost a personal favour?—Yes; Mr. Cusack was sitting with me for a long time, and I expressed my wish as strongly as I could that no illegal expenditure should be incurred whatever.

3722. To the best of your belief, those instructions have been acted upon, and your views have been complied with during this election?—I have no reason to doubt it.

Cross-examined by Mr. *M'Donogh.*

3723. At the election in 1852, in the early part of the day, you were very much a-head of Mr. Reynolds?—I think the whole day.

3724. Mr. Reynolds was the only opponent of you and Mr. Vance?—Yes.

3725. The freemen flocked in great numbers on that occasion?—I believe so.

3726. It was a marked and plainly understood thing that shortly after the booths opened you were very much a-head?—I was; from the time of the first hour we were a-head of Mr. Reynolds, and the majority was something like 1,500.

3727. On the present occasion, having regard to your superiority in 1852, and having regard also to the reports of the Conservative Society, did you not anticipate in 1857 a similar triumphant result?—I expected a much larger majority than was obtained.

3728. Of course you felt disappointed at the very close approximation of Mr. Brady to yourself?—Yes.

3729. During the week commencing on the 24th of March, after Mr. Brady had

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had declared himself a candidate, the certainty of a contest was quite plain?—I do not exactly know when Mr. Brady was declared a candidate.

3730. But from the time of his being put in nomination, the contest was certain?—Yes.

3731. Things did not look so cheerful as they had done previously?—We never entertained any doubt as to the result.

3732. Originally you thought you would have a very large majority?—Decidedly so.

3733. Do you remember being at the Music Hall when Mr. Vance was at Rosslane?—I believe so.

3734. That was on the night of the 27th?—We had two meetings at the Music Hall on two consecutive evenings; I rather think it was the 27th, the day before the nomination.

3735. You attended the Music Hall?—Yes. It was a very unanimous and influential meeting.

3736. How soon after the last election did you become subscriber to the Rosslane society?—I believe I was one of the original subscribers.

3737. Did you take the trouble of reading the rules?—I am not quite sure of that. I have heard them read.

3738. Did you not hear this: "The great and rapid changes that of late years have taken place in reference to the qualification for and the mode of exercising the elective franchise loudly call for the union and association of the loyal and tried supporters of the ancient institutions of our country in church and state, to repel the many insidious and open attacks that are daily being made to sap and undermine their long-established and legitimate influence, as well all over this kingdom as in the ancient city of Dublin; for, not content with the abolition of the minor guilds, so long the bond of strength and rallying point for all our good and loyal citizens, it is now openly and unblushingly sought to disfranchise the freemen of the borough of Dublin, by a party still smarting under merited rejection from the representation of our city." Is not that a noble sentence?—I did not draw it up.

3739. You subscribed annually to this excellent institution?—I believe so.

3740. The guilds had vanished?—Yes.

3741. In each guild there had been a master and warden of the corporation? That was before my time; I believe there was so.

3742. *Committee.*] Did you give Mr. Vance any authority to make any promise for you as to giving 500 *l.*?—No.

3743. Did he communicate to you the fact that he had made any such promise?—I have heard that in this room for the first time.

3744. You never heard it before?—No.

John Vance, Esq., a Member of the House, sworn; Examined by Mr. *Rodwell.*

J. Vance, Esq., M. P.

3745. YOU are one of the Sitting Members for the city of Dublin?—I am.

3746. Do you reside at Dublin?—I do.

3747. Have you been long connected with the city?—My family have been long connected with it.

3748. You first represented the city in 1852?—Yes.

3749. Are you aware that at that time any money was improperly spent in the election, or that any corrupt practices existed?—I am aware of none whatever.

3750. A petition was presented against your return which was not proceeded with?—On the day of the declaration of the poll in 1852, Mr. Reynolds made a speech, stating that many corrupt practices had taken place in the city, particularly amongst the freemen, and that he should certainly present a petition.

3751. Were any steps taken with reference to that?—A petition was presented.

3752. And not proceeded with?—The committee was struck, and the opposite party paid the costs.

3753. Previous to the election of 1857, had you taken any means to ascertain the state of the registry with reference to the majority on which you could rely at the coming election?—Whenever I was in Dublin, I looked very closely into the business of the registration office, and had certainly calculated upon a majority.

3754. To

3754. To what extent?—To somewhere abut 2,400.

3755. You expected a much larger majority than you had on the last election?—Very much larger, but I could account for the change.

3756. How could you account for your not having so large a majority as you expected?—The very circumstance of the enormous majority that we anticipated made a great number of the conservatives apathetic.

3757. Amongst others, your own brother did not vote?—No.

3758. Was there an over-confidence on the part of your friends, so that they did not exert themselves as they otherwise would?—I stated that as one of the reasons.

3759. Whom did you employ as your agent for conducting the election?—When the dissolution of Parliament was pending, Mr. Gibson came over to London, and had an interview with Mr. Grogan and myself, and we employed him upon that business.

3760. Was Mr. Cusack the agent for the election expenses?—Yes; he was not a paid agent.

3761. Will you state what orders and injunctions you gave to Mr. Gibson and Mr. Cusack from time to time upon the subject of the conduct of your election?—I gave them the strongest directions at all times to spend no money illegally, and if the expenditure of an illegal shilling was necessary to gain a seat it should not be expended.

3762. Did you also desire them not to incur any expenses which might be doubtful in point of law as to travelling and such things?—I left that question to be considered by our committee, with legal assistance; I did not meddle much with it; I relied that they would take the best advice, and not promise travelling expenses unless they found they could legitimately do so.

3763. Perhaps the non-payment of the travelling expenses may be one of the matters that led to your not having a great majority?—I am quite satisfied that if the day had not been changed, which prevented many of our voters from coming up, and if we had promised the travelling expenses, that we should have added 400 to our majority.

3764. What was the reason of the day being changed?—When the sheriff had got the writ there was some complication in the Act as to the day of polling, and he advertised a particular day, I think the Tuesday, which he found was the wrong day, and then he advertised the Monday. In the meanwhile we had sent out all our circulars to the out-voters to come on the Tuesday, and as Sunday was an inconvenient day for travelling, we lost an enormous number of voters.

3765. Did you spend any money at the election except through the hands of these gentlemen you have named?—Not a shilling for election purposes.

3766. Have you had any applications for money with reference to this election?—Any applications I have had I have sent to Mr. Gibson.

3767. Do you undertake to say there has been no money spent at this election that you will pay except through these gentlemen?—I will refuse to pay any money that they will not undertake to say was for the legitimate expenses of the election; and as I believe the accounts are closed, I think I may say I shall pay no more whatever.

3768. After the election in 1852 was there some project on foot or some promise with reference to giving 500*l.* in the event of another 500*l.* being raised?—Mr. Grogan has stated the history of it, and I need hardly go over it again; but in 1853 we thought something was due, from the manner in which we had been supported, to the freemen of the city, and after considering a great many projects for their good, we saw none so legitimate and so good as to arrange with the Protestant Orphan Society, that the children of freemen should have a superior education and an apprentice fee; and Mr. Grogan and myself promised 500*l.* if they would subscribe a similar sum, and gave them a year to raise the money.

3769. *Committee.*] That project was in writing, was it not?—Yes, it was.

3770. Mr. *Rodwell.*] In the report of their proceedings in 1853, the Protestant Orphan Society state that they have received a letter from Messrs. Vance and Grogan to this effect (*the learned Counsel read the letter*). When the year expired the money had not been raised by the society; your donation was never paid?—It was never paid.

3771. During the election of 1857 did you make any promise that Mr. Grogan and yourself would contribute 500*l.* to this society?—No, I never did.

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3772. State the circumstances under which the question was revived?—I never alluded to it but once, at a meeting at Ross-lane, where I was interrupted by a voice, "What about the 500*l.*?" and being in the middle of a sentence, I said "I will refer to that by-and-by;" and I stated simply what we had offered was conditional on their raising a similar amount, and as that amount had not been raised the money had not been paid.

3773. And there the matter dropped?—Yes.

3774. You will pledge yourself that you did not directly or indirectly promise any sum of 500*l.* as the gift of Mr. Grogan and yourself?—I did not indeed, for I knew it would be highly illegal.

Cross-examined by Mr. *M'Donogh*.

3775. After having explained the reasons why the proposition was not carried out, did you then say that the same proposition would now be carried out?—Never.

3776. Did you say that any proposition of a like character would be carried out?—No.

3777. Or anything to that or the like effect?—Nothing to that effect.

3778. You merely excused the non-performance of that promise which had been conditional?—Precisely so.

3779. Are you perfectly certain you did not say, "Now it will be carried out"?—I am perfectly certain I did not say it would be carried out. In the first place, I had not the consent of my colleague, nor had I my own consent.

3780. You had not consulted yourself?—I was determined not to give it.

3781. Even if the other 500*l.* had been raised?—That would be a matter for consideration; as it had not, I was determined not to give the money.

3782. It was originally designed as a fund for the orphans of freemen?—It really was.

3783. Mr. Gibson was your only paid agent?—Mr. Martin was paid, but he acted under him.

3784. Is Mr. Martin a solicitor?—Yes; but he had nothing to do with the expenses.

3785. You gave the strongest injunctions that no money should be spent illegally?—I did, often enough.

3786. Did you ever know any one who told his agent, Now go and bribe?—Everything depends on the spirit in which the injunction is given; it was perfectly *bonâ fide*, as far as I was concerned.

3787. You gave directions that no money should be spent illegally?—I gave directions that no money should be spent illegally, and I believe the result of the present inquiry will prove that.

3788. You have your own consent to that, I suppose?—I have.

Re-examined by Mr. *Rodwell*.

3789. To your knowledge there was no money spent illegally, and your *bonâ fide* wish was, that none should be so spent?—My *bonâ fide* wish was that none should be so spent, and my *bonâ fide* conviction is that none has been so spent.

3790. *Committee.*] It has been stated to the Committee that a certain sum of money was employed out of this Ross-lane Society on your behalf; do we understand you to say that you undertake not to repay that sum to the Protestant Freeman's Society?—I did not hear of it until a month ago, when Mr. Cusack made me the communication that such a demand had been made of him of an illegal character, and he repudiated it; I never heard of the circumstance in any way till then.

3791. May we take it that you undertake not to repay to this society these funds they have paid for illegal expenses in your behalf?—Certainly not; nothing would induce me to pay it.

3792. *Committee.*] Are you quite certain that at the Ross-lane meeting you did not say you were still ready to abide by your promise?—Perfectly.

3793. You did not say you would do so now?—Certainly not.

374. No one cried out, that would not do?—I did not hear such an exclamation. Mr. Bramston Smith said I frequently told him, and others of the committee, that if the election were to depend on getting the support of the Ross-lane men, I would not care to win it. What I meant to convey was, that if

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if the election were to depend on giving money illegally to the Ross-lane men, or any other freemen, I would not wish to gain the election. Of course, I was delighted with the support of the Ross-lane freemen; they are a numerous body.

3795. Tell us the language you used as to this 500*l.*?—The sum of 500*l.* was to have been given to the Protestant Orphan Society if they would raise a similar amount; a considerable time had elapsed and they had not raised it, and the consequence was, the matter had fallen to the ground.

3796. That was everything you said?—Yes.

3797. Nothing further?—No.

Mr. *Ralph Cusack*, recalled.

Mr. *R. Cusack*.

3798. *Committee.*] YOU were present at this Ross-lane meeting when Mr. Vance spoke?—I was.

3799. State exactly what he said about this 500*l.*?—A party in the crowd cried out, "What about the 500*l.* to the Protestant Orphan Society?" He then detailed the agreement they had entered into with the Protestant Orphan Society, and said, that in 1853 he and Mr. Grogan had made an offer of 500*l.*, providing a similar sum could be raised by public subscription within a year: that he and Mr. Grogan were perfectly ready to have fulfilled their part of the contract, but that only 37*l.* had been subscribed.

3800. Is that all he said?—That is all, as far as I remember.

3801. A witness has stated before us that he said he was ready to do so now?—I do not think he did.

3802. He did not renew the promise?—I do not think he made any promise of continuing it in any way. I do not think it was their intention.

3803. He said nothing which would imply that he would renew that promise?—I think not.

Mr. *O'Malley.*] That will be the case on behalf of the Sitting Members.

[Adjourned to To-morrow, at 11 o'clock.

I N D E X.

[*N.B.*—In this Index the Numerals following *Rep. p.* refer to the Page of the Report; the Figures following the Names of the Witnesses refer to the Questions of the Evidence; and those following *Ev. p.* to the Page of the same.]

A.

ACCOUNTS. Witness has got all the accounts of Messrs. Vance and Grogan, *Tudor* 2645——Explanation relative to an account for 26 *l.* 14 *s.* paid to and receipted by Mr. Lilley, *ib.* 2646-2649——Examination upon an account, "Daily Express" newspaper, Grogan and Vance, per Ralph Cusack, *ib.* 2650-2652——The whole of Grogan and Vance's accounts delivered in, and taken as read, *ib.* 2654, 2655——The book is a transcript from the vouchers which were paid; those vouchers delivered in, *ib.* 2656-2659.

Explanation on the subject of an interlineation on the top of Mr. Lilley's bill; the person who brought it to witness interlined it; witness does not know whether it was Mr. Lilley; it was done without Mr. Cusack's sanction, *Benson* 2865-2873——Witness would certainly say that no money was expended at the election beyond that which appears in the auditor's account, *Smith* 3176——Witness saw Lilley's account before it was submitted to the election auditor; how far it has been altered from its original state, *Gibson* 3465, 3466. 3475, 3476——Evidence relative to an interlineation made in Lilley's account, *Cusack* 3551-3553. 3679.

See also *Agents.* *Expenses of the Election.*

Agents. Witness was not a paid agent; merely acted as a friend of Vance and Grogan, *Frewen* 3203, 3204. 3230-3243. 3248——Witness is a solicitor in Dublin, of twenty-five years' practice, *Gibson* 3362, 3363——Was employed as election agent in 1852, *ib.* 3364——Was applied to shortly before the last election to become an agent, *ib.* 3365——Witness was agent for the election expenses in 1857, *Cusack* 3511——Witness employed Mr. Gibson as his agent, and Mr. Martin was employed under him; Mr. Cusack was agent for the election expenses, *Grogan* 3698, 3699——With the exception of these persons, no one was authorised to expend a shilling, or to employ anybody, *ib.* 3700-3704——It was universally known that Mr. Gibson was the election agent, *Smith* 3055, 3056——*See* also *Chairmen of Committees.* *Lilley, Mr.*

Auditor. See *Accounts.* *Election Auditor.*

B.

Benson, Thomas. (Analysis of his Evidence.)—Is at present acting as Secretary of the Ross-lane Society; is treasurer, 2294, 2295——Has been served with a *duces tecum* to produce all documents, books, papers, and everything from the commencement of the society, 2296——Produces a list of the fifty-six members of the society who received 2 *s.* 6 *d.* each for attending the nomination, 2296-2306——Lilley is president of the society; he was backwards and forwards on the occasion, 2307. 2309——Witness brought the money from his own house to pay them; had previously drawn 10 *l.* out of the funds of the society at the bank, 2310-2351.

A resolution was passed at a meeting of the society to draw this sum out of the bank for the current expenses of the week, and witness had other monies in his hands, making altogether about 20 *l.*; 2310-2351——Witness attended all the meetings in Ross-lane after the election; has seen Mr. Conway and Mr. Hassett there, 2352-2356——At some of these meetings the freemen may have complained to Mr. Lilley that the promises that had been made to them had not been kept; at any rate it seemed to be the general impression, 2352-2366. 2369, 2370. 2403-2433. 2507.

All that witness has heard Lilley say on the subject was, that anything he had said he would abide by, and see it fulfilled, and witness believes this had reference to a dinner that had been spoken about, 2367-2380. 2434-2442——Witness has heard Lilley tell persons they should be guarded in their talk while the petition was pending, 2368——Witness does not remember that at any of these meetings anything was said as to what would be "going" at the election, except perhaps in desultory conversation; never heard the question put to Mr. Lilley, 2381-2391. 2403.

Report, 1857—*continued.*

Benson, Thomas. (Analysis of his Evidence)—*continued.*

The question has frequently been asked witness, and he has always said he did not believe there would be a single farthing, 2392–2402. 2508–2515——Several of those who received the 2 *s.* 6*d.* on the nomination day were not voters, 2443——They were called out and paid to attend there as a protection to their friends, 2444–2450. 2518–2542——Witness does not recollect having heard anything said when Mr. Lilley was present as to the last day for presenting this petition, 2452–2464. 2516, 2517——Explanation relative to one or two erasures in witness's memorandum-book of expenses, 2465–2493. 2636–2643——The minutes of proceedings are sometimes entered at the time, and sometimes after the meeting, 2494–2496——Farrell was secretary to the society, and would have been dismissed for drunkenness, but he resigned, 2497–2499——The society is both a political and benevolent society; small sums are given, and small loans made to poor members, 2500–2504——Witness always heard it said that this election was to be conducted on the purest principles, 2512, 2513——Evidence as to the state of the accounts of the society on, and at various periods since the 1st of March, 2543–2562. 2605–2615.

The payments of 2 *s.* 6*d.* each to the men for attending at the nomination has not been entered in the accounts; reasons why witness attributes the cause of this non-entry to the election petition, 2564–2604. 2616–2623——There is no regular audit of the accounts, but they are usually cleared up four times a year, 2605–2615——In one of the speeches witness heard Mr. Vance speak, he made some reference to a promise that he and Mr. Grogan made in 1852 of 500 *l.* towards the Protestant Orphan Society, if they would raise another 500 *l.*; nothing was said about renewing the promise, 2624–2635.

[Second Examination.]—Evidence relative to the payment of 1 *l.* at Jones's public-house in Chamber-street entered in the accounts of the society, 2660–2664——A meeting of the society had been adjourned to Jones's, 2665–2670.

[Third Examination.]—Further evidence as to the 1 *l.* paid at Jones's public-house on the occasion of the adjourned meeting; it was paid under a resolution of the society; it was spent for refreshment for the members of the Cross-lane Society, 2671–2688——Explanation relative to a sum of 1 *l.* 2 *s.* 6 *d.* paid to Jones for refreshments to the members on another occasion, 2695–2697——Evidence as to, and explanation of, various small items in the accounts paid for refreshments for witness, Mr. Lilley, and others, at various times, and also for stamps, &c., 2698–2719. 2725–2751. 2783–2789. 2810–2816. 2821–2827. 2833–2845.

Witness has never been asked to show his accounts to the agents for the petitioners; would not have refused had he been asked, 2720–2724——At the time of the election witness was not treasurer of the society; Mr. Farrell was, 2752–2769——The freemen always took a great interest in the election, and one of their principles was to give an undivided support to the Protestant candidates, 2770–2778——The rooms of the society were let for election purposes; the parties who were on the committee that sat there were not members of the society, 2779–2782. 2830–2832——Names of some of the parties who were on this committee, and attended the rooms, 2790–2809. 2830–2832.

Further evidence as to witness having drawn out 10 *l.* from the funds at the bank, with reasons for his having drawn it out, 2817–2820——Witness never saw Mr. Cusack at the Ross-lane committee-rooms but once, and that was when Mr. Vance was present, 2828, 2829——Evidence showing that entertainments for members of the society have been paid out of their funds other than those connected with elections, 2846–2858——Mr. Downes was the principal person engaged at the committee-room regulating and directing the affairs of the committee, 2859–2864.

Brady, Mr. See *Evidence.*

BRIBERY:

I. *Generally.*

II. *Cases in which Bribery is alleged to have been committed at the late Election:*

1. Case of D. A. Brown.
2. Case of Byrne.
3. Case of Hamilton.
4. Case of Hassett.
5. Case of M'Guinness.
6. Case of Nettleton.
7. Case of Rogers.
8. Case of Walker.

III. *Refutation of some of these Allegations:*

1. Case of D. A. Brown.
2. Case of Byrne.
3. Case of Hamilton.
4. Case of Nettleton.

I. *Generally:*

Report, 1857—*continued.*

BRIBERY—continued.

I. *Generally:*

Witness knows a man of the name of M'Dermot; did not ask him for his vote; but may have told him if there was anything to be given he would get it as well as another, *May* 441–450. 457——Witness himself was not bribed, nor is he aware of any particular act of bribery, *H. E. Brown* 1973–1982——It would be very hard for witness to tell who bribed him, as he got no bribe, nor would he have taken one, *Conway* 2046–2050——Witness has not been bribed; the Ross-lane Society actually owes him a debt, *Wynne* 2131–2133——Witness was not paid anything through the auditor for what he did during the election, *ib.* 2134–2136.

II. *Cases in which Bribery is alleged to have been committed at the late Election:*

1. Case of D. A. Brown:

Witness is a freeman of the city of Dublin; resided in Bolton-street, *D. A. Brown* 1163, 1164——Recollects the last Dublin election, in the month of March, *ib.* 1165, 1166——Had been an occasional inmate of the North Dublin Union Workhouse for three months before the election, *ib.* 1167–1175——When witness heard there was to be an election he wrote to Mr. Ralph Cusack to ask for employment; Mr. Cusack is chairman of the Board of Guardians, *ib.* 1176–1179——Witness came out of the workhouse about a fortnight before the election; had clothes of his own, which had been given him by a man of the name of Martin, *ib.* 1180–1186. 1189–1191.

Witness was employed at the election, and voted, *D. A. Brown* 1187, 1188——Witness voted for Grogan and Vance, *ib.* 1192——Witness was employed a fortnight, and received something over 3*l.*; it was paid him by Mr. Cusack, *ib.* 1193–1201——Witness went to the committee-rooms at College Green; saw Mr. Cusack and Mr. Keating there; other parties whom he saw there; business on which some of them were employed, *ib.* 1215–1243.

Witness went back to the poor-house two or three days after the election, and came out again about a fortnight ago, *D. A. Brown* 1267–1272——Witness spent all the 3*l.* he received in about a fortnight, and could have spent more if he had had it; elections are stirring times, *ib.* 1273–1275——The employment witness got at this election had nothing whatever to do with the vote he gave, *ib.* 1292–1298——Witness came out of the workhouse about ten days ago; was in employment when he received the summons to attend here, *ib.* 1301, 1302.

2. Case of Byrne:

Evidence as to witness having met Mr. Whithorne three days before the polling, and as to his having promised witness 5*l.* if he would vote for the Conservatives, *Byrne* 17–25——Witness afterwards accompanied him to Vance and Grogan's committee-room, and was introduced to some gentlemen there, and among them he saw Mr. Keating, *ib.* 25–29——Mr. Keating examined the list of freemen, and afterwards filled up a card, which he gave to witness, and told him to meet Mr. Whithorne on the hustings on the day of election, *ib.* 28–31——Witness attended as directed, and was taken up to the poll by Mr. Whithorne and Mr. Keating; voted for Vance and Grogan, *ib.* 31–38——After witness had voted Mr. Keating changed the card he had first given him, and it was arranged that witness was to meet Mr. Whithorne at the committee-room at twelve o'clock on the following day, *ib.* 39–47——Evidence showing that witness did meet him on the Saturday; then had three one-pound notes rolled up given to him, *ib.* 47–67——Observations made by witness that this would not do for him, as it was not what he was promised, *ib.* 67, 68.

Witness saw Mr. Whithorne again after this, and told him how he had been humbugged, and Mr. Whithorne said he would make it all right, *Byrne* 78–81——Witness forgets who it was that he first told the story to as to his having been bribed, *ib.* 125–133——Mr. Whithorne was the only person who ever spoke to witness about money, *ib.* 167–184 Witness lent one of the three one-pound notes that he received for his vote to a friend, and the rest went in the way all money goes, *ib.* 207–223.

Knows a person of the name of Michael Byrne; at the time of the election he lent witness a pound note, and he repaid him partly in goods and partly in money, *William Brown* 2229–2280. 2291–2293——Byrne had not often money to lend, but being about election time, witness thought he might have got something for his vote, and so asked him to lend him a pound, *ib.* 2238, 2239. 2270–2282——Witness has just seen Byrne outside the committee-room, and has been talking to him, *ib.* 2283, 2284.

3. Case of Hamilton:

Witness resides in Brereton-street, in the liberty of Dublin; is a freeman of Dublin, *Hamilton* 714, 715——Witness knows a person of the name of Frewen; he has assisted witness in getting relief at the dispensary; saw him a day or two before the election, *ib.* 716–724——Evidence as to witness having told Frewen on the morning of the nomination that he should not like to vote without getting some money, and he asked

Report, 1857—*continued.*

BRIBERY—continued.

II. *Cases in which Bribery is alleged to have been committed, &c.*—continued.

3. Case of Hamilton—*continued.*

asked Frewen if he could do anything for him, *Hamilton* 725-737——Witness got the idea in his head that he was to have 5*l.*, though nothing was said about it, *ib.* 725-737——All witness got afterwards from Frewen was 5*s.*, *ib.* 738. 749, 750. 853-874——Witness called on Mr. Frewen once after he had given him the 5*s.* to ask him for more money; he flew at witness in a great passion, and witness walked away, *ib.* 751-770.

4. Case of Hassett:

Witness is a freeman; lives in Linen Hall-lane, Dublin; is a Congreve-match manufacturer, *Hassett* 498-500——Witness always voted for Grogan and Vance, and always will, *ib.* 503-505——Evidence as to witness having met Mr. Lilley on the morning of the election, and as to his having told him that he (witness) understood he had promised to pay a man of the name of Mahon for his loss of time, *ib.* 501, 502. 506-520. 560-564——Witness told Lilley he supposed he should get the same, and Mr. Lilley's reply was, "yes," *ib.* 520.

Witness was not bribed for his vote at the last election, though he might have had a bribe from Reynolds and Brady's party, *Hassett* 604-607——Witness is a carpenter, living at No. 8, Hoye's-court; is a freeman; voted for Grogan and Vance, *Harrison* 1373-1376——Knows John Lilley perfectly well, *ib.* 1377——Knows Hassett; was with him on the 30th March last in Green-street, opposite the court-house, *ib.* 1377-1381——Saw Lilley there, and heard him say, "Now, Hassett, go and vote, and we will satisfy you in every way;" witness did not hear Hassett's reply, *ib.* 1382-1399.

5. Case of M'Guinness:

Witness is a freeman of Dublin, *M'Guinness* 618-620——Evidence as to witness having asked Lilley whether he should get anything for his vote, and as to Lilley having told him he would get 3*l.*; but he never has got it, *ib.* 621-626. 630, 631. 650, 651——At a meeting of the Ross-lane Society shortly after the election, at which Mr. Lilley was in the chair, he told the meeting he would see them all satisfied, *ib.* 627-629. 633-649. 652. 700-713.

6. Case of Nettleton:

On the morning of the election witness went to Grogan and Vance's committee-room in Dame-street, and saw Mr. Cusack, who appointed him a messenger, and gave him a document entitling him to get 13*s.* 10*d.*, but not for his vote, *Nettleton* 1313-1322. 1324-1327——Witness solemnly swears that he did not take a bribe to vote for him or any other man, *ib.* 1322, 1323——Witness has seen Mr. Lilley on various occasions, both before and since the election, and has asked him how things were going on, but got no particular answer from Mr. Lilley, *ib.* 1328-1367——What witness meant by this question was, that if there was anything "going" in the shape of compensation, he might get a share of it, *ib.* 1355-1362.

7. Case of Rogers:

Witness was a letter-press printer, but trade was so bad that he was in very distressed circumstances just before the election; had been obliged to pawn all his clothes, *Rogers* 923-928——No one said anything to witness about his vote previous to the election, *ib.* 929——On the morning of the election witness could not go out to vote as he had no clothes, *ib.* 934-937——Particulars relative to two persons whom witness knew, of the names of Bush and Reed, and another man, a stranger to witness, having taken his clothes out of pawn and bringing them to witness, and taking him up to vote, *ib.* 934-986. 1025, 1026——Witness was not taken to any committee-room or tally-room on his way, nor was anything said about his voting, *ib.* 987-989.

Witness has again pawned his clothes since the election; evidence as to how he has got his living, *Rogers* 990-1024——Witness knows Mr. Lilley; went to his house shortly after the election, thinking he might have heard some news for witness; that is, in regard to his getting some money for his vote, *ib.* 1027-1046——Witness saw him at his door, and told him he was badly off, and he gave witness a shilling; witness asked him if he should look in again in a day or two, and he said "yes," *ib.* 1047-1061. 1098-1100——Witness called again frequently, but never got anything but the shilling, *ib.* 1062-1069——Evidence relative to witness and a man of the name of Bush having got some clothes out of pawn to enable a man of the name of Benjamin Rogers to go up and vote, *Reed* 2179-2194.

8. Case of Walker:

A week before the election witness called on Mr. John Judkin Butler to ask for employment on the day of the election, *Walker* 342-345——Mr. Butler asked witness if he was a voter; witness said he was a freeman, and Mr. Butler told him to call again, *ib.* 346-349——Evidence as to witness, after this, having called on him several times, and as to Mr. Butler, on the polling day, having employed witness to direct voters to the

Report, 1857—*continued.*

BRIBERY—continued.

II. *Cases in which Bribery is alleged to have been committed, &c.*—continued.

8. Case of Walker—*continued.*

the different polling-booths, *Walker* 346-364. 399-401——After this, witness called at the Conservative committee-rooms to be settled with, and Mr. Butler told him to call at his residence on the following afternoon, *ib.* 365-383. 402, 403——Witness called there and received 13*s.* 10*d.* from Mr. Butler's son; witness gave a receipt for the money, *ib.* 383-388——Witness told young Mr. Butler that he was very much disappointed, as he expected a great deal more than that, *ib.* 391, 392. 396-398——Witness voted for Vance and Grogan; has always voted on the Conservative side; voted in 1852, and received 1*l.*, *ib.* 389, 390. 404. 420-426.

III. *Refutation of some of these Allegations:*

1. Case of D. A. Brown:

The employment of Alexander Brown, who was a pauper in the North Dublin Union-house, as a writing-clerk, had nothing to do with his vote, *Cusack* 3554-3558. 3620-3635.

2. Case of Byrne:

Witness knows a man of the name of Michael Byrne, who attends at the police-office as process and notice server, *Whithorne* 3251, 3252——Remembers meeting him on the Friday before the election, *ib.* 3253——Witness was going to Grogan and Vance's committee-room to get his ticket, and asked Byrne how he was going to vote, and whether he would accompany witness, and he would procure him his ticket, *ib.* 3254-3259. 3302-3316——Witness saw him again the next day and asked him how he was going to vote; witness never spoke to him about money, nor made him any promise whatever, *ib.* 3260-3272.

Witness saw him again on the polling-day at Grogan and Vance's tally-rooms, and he then told witness he had heard they were giving 10 *l.*, and witness said in jest "Don't you wish you may get it?" *Whithorne* 3273-3277. 3312-3317——Witness then asked one of the gentlemen in the room whether the freemen would be paid their expenses, and the reply was "Not one farthing;" Byrne therefore must have been perfectly aware that he would not receive anything, *ib.* 3277. 3319-3322. 3324——Witness was not employed in any way at the election, *ib.* 3278. 3282-3285. 3330, 3331——Witness has seen Byrne since the election, and he has always told witness that he never got anything, *ib.* 3279-3281. 3318. 3334.

On the first occasion of witness's accompanying Byrne to Grogan and Vance's committee-room witness believes there was a register of the voters on the table, and Mr. Keating examined it to see if Byrne was a voter, *Whithorne* 3286-3301——It is positively untrue that witness ever promised Byrne money, either directly or indirectly, for his vote, *ib.* 3332-3334.

3. Case of Hamilton:

Witness is relieving-officer of the Meath-street district, *Frewen* 3179——Has known a man of the name of John Hamilton, of 16, Bride-street, for some time, *ib.* 3180, 3181——Never on any occasion, either directly or indirectly, offered him money for his vote, *ib.* 3182-3184——The last money witness ever gave him was 4*d.* in charity; has often during the last twelve months given him food and soup tickets, *ib.* 3184, 3185——By his own request witness took him up in a car to vote as he had a bad leg, *ib.* 3186-3193.

Witness had nothing to do with supplying him with any clothes or money, *Frewen* 3193-3202——Hamilton had promised witness his vote before the polling-day, *ib.* 3210, 3211——Witness never in Hamilton's presence slapped his pocket and said, "I have got it here;" nor did he ever hold up his five fingers to give him to understood he was to have five pounds, *ib.* 3212-3217. 3230-3235. 3244-3247——Hamilton has never asked witness for money since the election, *ib.* 3218, 3219. 3229.

4. Case of Nettleton:

The employment of Peter Nettleton as a tally clerk had nothing to do with his vote, *Cusack* 3559-3561. 3636-3644.

See also *Illegal Expenditure.* *Treating.*

Brown, David Alexander. (Analysis of his Evidence.)—Freeman of the city of Dublin, 1163——Resided in Bolton-street, 1164——Recollects the last Dublin election, in the month of March, 1165, 1166——Had been an occasional inmate of the North Dublin Union Workhouse for three months before the election, 1167-1175——When witness heard there was to be an election, he wrote to Mr. Ralph Cusack to ask for employment; Mr. Cusack is chairman of the Board of Guardians, 1176-1179.

Witness came out of the workhouse about a fortnight before the election; had clothes of his own, which had been given to him by a man of the name of Martin, 1180-1186.

Report, 1857—*continued.*

Brown, David Alexander. (Analysis of his Evidence)—*continued.*

1189-1191——Witness was employed at the election and voted, 1187, 1188——Voted for Grogan and Vance, 1192——Witness was employed a fortnight and received something over 3*l.*; it was paid him by Mr. Cusack, 1193-1201——When witness wrote in the first instance to Mr. Cusack he did not say anything about his vote, as he did not even know that he was on the roll, although he was a freeman, 1202-1208.

The answer to witness's application was signed by George Keating; witness was told there would be employment for him at College Green on the Monday, 1209-1214——Witness went to the committee-rooms at College Green; saw Mr. Cusack and Mr. Keating there; other parties whom he saw there; business on which some of them were employed, 1215-1243——The only person to whom witness mentioned the fact of his having a vote was to one of the copying clerks; never mentioned it to Mr. Cusack, 1244, 1245. 1250-1266——Witness went back to the poor-house two or three days after the election, and came out again about a fortnight ago, 1267-1272——Witness spent all the 3*l.* he received in about a fortnight, and could have spent more if he had had it; elections are stirring times, 1273-1275.

Witness had formerly been a copying clerk, and he wrote to Mr. Cusack thinking his services as a clerk might be required; duties on which witness was employed; opinion that he fully earned what he was paid; witness had been previously employed by Mr. Cusack in doing some clerk's work for the union-house, 1276-1291. 1293-1297——The employment witness got at this election had nothing whatever to do with the vote he gave, 1292. 1298——Witness came out of the workhouse about ten days ago; was in employment when he received the summons to attend here, 1301, 1302——Witness cannot conceive why he has been summoned here; had never made any statement of any evidence he could give; the receipt of the Speaker's warrant was the first he ever heard of it, 1303-1309.

Brown, Mr. D. A. See *Bribery,* II. 1. III. 1.

Brown, Henry Edward. (Analysis of his Evidence.)—Resides in the North-road; formerly resided in Dublin; has been in London about three weeks; did not come over on the business of the election, 1894-1896. 1904-1907——Was in Dublin at the last election, and voted as a freeman for Vance and Grogan, 1897-1900——Attended meetings of the freemen about the time of the election; has seen Messrs. Grogan and Vance there; has heard them speak at these meetings, 1901-1903. 1908-1914.

Witness is a member of the Ross-lane Society; has attended meetings there since the election, at which Mr. Lilley has been present, 1915 *et seq.*——Witness on one occasion heard him say, that "the promises that were made should be fulfilled," or something tantamount to that, but that nothing could be done till the petition was lodged, 1928-1933. 1952-1954. 1965-1969——The impression on witness's mind was, that he made allusion to some person who had given a promise to this effect, 1934-1936. 1944-1946.

There was a great deal of dissatisfaction among some of the members, and a great deal of grumbling, 1947-1951. 1965-1969——On one occasion Mr. Patrickson Pike brought a painting of William the Third, and presented it to the freemen; some were satisfied, and some not; it did not stop the grumbling, 1955-1964.

Witness himself was not bribed, nor is he aware of any particular act of bribery, 1973-1982——Reference to a promise which was made by the Sitting Members to give 500 *l.* to the Freeman's School, provided another 500 *l.* was collected on the part of the freemen, 1983-1992——Witness was served with a Speaker's warrant a few hours ago, and this is the first he has heard of coming here to give evidence, 1996, 1997.

Brown, William. (Analysis of his Evidence.)—Vintner, residing at 50, Patrick-street, Dublin, 2225, 2226——Knows a person of the name of Michael Byrne; at the time of the election he lent witness a pound note, and he repaid him partly in goods and partly in money, 2229-2280. 2291-2293——Byrne had not often money to lend, but being about the election time, witness thought he might have got something for his vote, and so asked him to lend him a pound, 2238, 2239. 2270-2282——Witness has just seen Byrne outside the committee-room, and has been talking to him, 2283, 2284——Witness was only summoned a day or two ago, and had not been asked what evidence he could give before he was summoned, 2285-2290.

Burke, James. (Analysis of his Evidence.)—Grocer, in Bride-street, Dublin, 1846——Witness's house is nearly opposite the Ross-lane rooms; went over there on the Friday before the election to hear a speech, 1847-1856——What witness saw of the meeting, and the persons who attended it; he would say it was much more a public meeting than a meeting of Protestant freemen, 1856. 1868-1880——Mr. Vance was speaking when witness went there, and it was principally about a promise which had been made at a previous election by Mr. Vance and Mr. Grogan to give 500 *l.* to support the Freeman Orphan School, provided the freemen would give another 500 *l.*; 1857-1866. 1881-1893.

Report, 1857—*continued.*

Burke, James. (Analysis of his Evidence)—*continued.*

[Second Examination.]—Keeps a grocery and drinking establishment in Bride-street; knows a person of the name of Thomas Naughten; he brought persons to witness's house during the election, 2874-2886——Witness has been to Mr. Bramston Smith's house with Naughten; it was after the election, but witness does not remember the day, 2880-2884.

[Third Examination.]—Knows Naughten; remembers his entertaining the freemen at witness's house, 3177, 3178.

Burke, Mr. See *Treating.*

Byrne, Michael. (Analysis of his Evidence.)—Freeman of the city of Dublin, residing at No. 5, Brown-street, Dublin, 12, 13——Remembers the last election for that city, 14——Knows a Mr. Gervase Whithorne, an attorney, 15, 16——Evidence relative to witness having met Mr. Whithorne three days before the polling, and as to his having promised witness 5*l.* if he would vote for the Conservatives, 17-25——Witness afterwards accompanied him to Vance and Grogan's committee-room, and was introduced to some gentlemen there, and among them he saw Mr. Keating, 25-29.

Mr. Keating examined the list of freemen, and afterwards filled up a card, which he gave to witness, and told him to meet Mr. Whithorne on the hustings on the day of election, 28-31——Witness attended as directed, and was taken up to the poll by Mr. Whithorne and Mr. Keating; voted for Vance and Grogan, 31-38——After witness had voted Mr. Keating changed the card he had first given him for another card, and it was arranged that witness was to meet Mr. Whithorne at the committee-room at twelve o'clock on the following day, 39-47——Witness did not like to go there, but met Mr. Whithorne on the day after, and he told witness to meet him at twelve o'clock on the Saturday, and he would be paid, 47-49.

Evidence showing that witness did meet him on the Saturday, and after being dallied about from place to place he went to a room in Church-lane, where he saw six or seven gentlemen, and witness then had three 1*l.* notes rolled up given to him, 50-67——Observation made by witness that this would not do for him, it was not what he was promised, 67, 68——Witness, after this, saw Mr. Keating at the committee-room in Church-lane, and told him he had not got anything; witness had not been asked to give up his card, and did not tell Mr. Keating he had got the 3*l.*; 69-77.

Witness saw Mr. Whithorne again after this, and told him how he had been humbugged, and Mr. Whithorne said he would make it all right, 78-81——Witness does not know where Mr. Keating lives; only knows that he was clerk at the committee-rooms of the Conservative party; he has always acted on the Conservative side in the registration courts, 82-89.

Witness was formerly a tallow-chandler, but is now a law and mercantile clerk, when he can get employment, 90-98——Evidence in detail as to witness's character, and the way in which he has been gaining his livelihood of late, 99-119——Witness does not know who the man was that gave him the 3*l.*; 121-124.

Witness forgets who it was that he first told the story to as to his having been bribed, but mentioned to Mr. Hurst, a respectable grazier, that he had been humbugged; this was about a fortnight or three weeks after the election, 125-133——Mr. Hurst was present when witness was first promised the 5*l.* by Mr. Whithorne, but witness does not know whether he heard the conversation; one or two other persons were also close by, 133-154.

Reasons why witness, on the first occasion of Mr. Whithorne asking him for his vote, asked him whether he was an agent for Vance and Grogan, 136-141. 149-151——Evidence relative to the circumstances under which witness went to Mr. Kernan to state what evidence he could give in reference to this petition; his statement was taken down in writing, 155-166.

Mr. Whithorne was the only person who ever spoke to witness about money, 167-184——When witness is employed he may perhaps earn about a guinea a week on the average, 185-188——All that witness has received from the party to whom he has given his evidence has been two sovereigns and his fare here and back, 189-195——Witness has been a freeman since 1841; knows nothing about the society that was formed in 1852; 197-199——Witness lent one of the three 1*l.* notes that he received for his vote to a friend, and the rest went the way that all money goes, 207-223.

Byrne, Mr. See *Bribery*, II. 2.; III. 2.

C

Cards. Cards were filled up with the register number on the poll-book for all those who were marked on the list as Conservative voters, and were delivered to them as they called for them, *Gibson* 3397, 3398.

Report, 1857—*continued.*

Cars. Reason why car tickets were printed, *Gibson* 3399——Instructions witness gave to Lilley with respect to hiring the cars, *ib.* 3479, 3480. 3484-3506.

Chairman of Committees. Witness was chairman of Vance and Grogan's committee at the last election, *Smith* 2980——Has taken the chair at several of their meetings, *ib.* 2981-2983——Names of several of the committee who took an active part, *ib.* 2986-2996——The agent conducted the business chiefly, but as far as a chairman could do anything, witness did it; gave many instructions and directions, *ib.* 2997-2999.

Circulars. Witness employed some clerks in sending out circulars before the election, before Mr. Gibson took the management, *Cusack* 3529.

Clement, Edward. (Analysis of his Evidence.)—Produces the poll-books for the Dublin election for 1857; 4: witness is agent for the Clerk of the Hanaper, and is acting for him under the 13 & 14 Vict. c. 62, s. 102; 5-11.

Clerks. Evidence generally with reference to the appointments of the clerks to committee, with particulars relative to the appointment of Mr. Lilley and Mr. Downes, as joint clerks of the Ross-lane committee, *Cusack* 3537-3543.

See also *Lilley, Mr.* *Subordinate Officers.*

Committee Rooms. The rooms of the Ross-lane Society were let for election purposes; the parties who were on the committee that sat there were not members of the society, *Benson* 2779-2782. 2830-2832——The meetings of the committee were held in College Green, and at the rooms in Dame-street, but chiefly at the latter, *Smith* 2990——Evidence as to the engaging of the committee-rooms, and the number taken as compared with 1852, *ib.* 3061-3071——Witness took the committee-rooms, and employed the clerks and all the subordinates, *Gibson* 3375-3377.

Committees. Evidence as to the appointment of the committees for the different wards in Dublin, *Gibson* 3380-3383.

See also *Chairman of Committees.* *Local Committees.* *Ross Lane Committee.*

Contest. It was generally thought before the dissolution that there would be no contest for Dublin, *Smith* 3057.——*See* also *Majority.*

Conway, Joshua Porter. (Analysis of his Evidence.)—Freeman of Dublin, 1998——Became a member of the Ross-lane Society subsequently to the election, 1999——Was formerly in the gunpowder and seed business, but is not in business now, 2000, 2001——During the last election the city was divided into wards, and there was a tally-room taken for each ward; witness was placed at one of these on behalf of Vance and Grogan; thinks Mr. Gibson employed him, 2002-2005——Witness made out the lists for messengers to bring up voters, 2004.

Witness attended meetings of the Ross-lane Society after the election, and on one occasion heard Mr. Lilley say, that the promises made to the freemen should be kept, but that nothing could be done till the time for presenting the petition had elapsed, 2008-2045——The freemen pretty generally were grumbling and complaining that they had not been settled with, 2019, 2020. 2024-2034. 2038-2043.

Witness was never in such an awful position as to be before a Committee of the British House of Commons before, and it is impossible for him to recollect much that occurred, 2032——It would be very hard for witness to tell who bribed him, as he got no bribe, nor would he have taken one, 2046-2050——Many of the freemen are people in humble circumstances; there are also some of the first people in Dublin who are freemen; in fact, the freemen are the most extraordinary class of men in existence; they number nearly 3,000; 2051-2058.

Cruikshank, Mr. See *Evidence.*

Cusack, Ralph. (Analysis of his Evidence.)—Magistrate of the county of Dublin, 3509——Was honorary secretary of Messrs. Vance and Grogan's committee in 1852; 3510——Was agent for the election expenses in 1857; 3511——Certified for payment of expenses incurred, 3512——Did not pay one penny on account of the election that is not comprised in the auditor's account, except some small sums for preparing a poll-book, which witness did not hand in, not considering it connected with the election, 3513. 3522-3524——Had particular instructions from both the candidates that nothing was to be spent but what was strictly legal, 3514-3516. 3568-3751.

Witness knows that many voters did not come up in consequence of their expenses not being paid, 3517-3519. 3572-3574——Evidence relative to the preparation of the list of the persons to be employed from Ross-lane, 3520, 3521. 3588-3596——Mr. Lilley was never authorised to promise anything or any expenses to any freemen, 3525-3528——Witness employed some clerks in sending out circulars before the election, before Mr. Gibson took the management, 3529——Reason why reference was made in 1857 to the promise of Mr. Vance and Mr. Grogan to give 500 *l.* to the Protestant Orphan School, provided the freemen subscribe another 500 *l.*; 3530-3536.

Report, 1857—*continued.*

Cusack, Ralph. (Analysis of his Evidence)—*continued.*

Evidence generally with reference to the appointments of the clerks to committee, with particulars relative to the appointment of Mr. Lilley and Mr. Downes as joint clerks of the Ross-lane committee, 3537-3543——The whole of the local committees were subordinate to the general committee, and took their instructions from them, 3544-3550——Evidence relative to an interlineation made in Lilley's account, 3551-3553. 3679.

The employment of Alexander Brown, who was a pauper in the North Dublin Union-house, as a writing clerk, had nothing to do with his vote, 3554-3558. 3620-3635——The employment of Peter Nettleton as a tally-clerk had nothing to do with his vote, 3559-3561. 3636-3644——Witness never gave any promise to Lilley about paying money to the freemen after the election, 3562-3566——Witness never paid anything on Mr. Lilley's order without Mr. Gibson's signature, 3567——Witness acknowledges that the Conservative majority was much smaller than was expected, though the election was never in doubt during the whole of the contest, 3575-3582. 3586, 3587.

Witness has frequently heard Mr. Vance say that he would rather lose the election than pay the Ross-lane men a shilling, 3583-3585——Lilley was never acknowledged as a member or clerk of the general committee, 3597-3606——Nor had he the management of the Ross-lane committee, 3616-3619——From the very first witness repudiated an account that Lilley brought him for 16*l.* for paying freemen attending the nomination; the lodging of this petition had nothing whatever to do with witness's refusal to pay it, 3645-3676. 3680-3689.

[Second Examination.]—Further evidence relative to the reference made by Mr. Vance in his speech at the Ross-lane meeting as regards his and Mr. Grogan's promise in 1852 to subscribe 500*l.* to the Protestant Orphan School; nothing was said with regard to a renewal of this promise, 3798-3803.

Cusack, Mr. Witness was not offered 100*l.* if he could give evidence that would implicate Mr. Cusack, *Farrell* 1751-1754——Witness never saw Mr. Cusack at the Ross-lane committee-rooms but once, and that was when Mr. Vance was present, *Benson* 2828, 2829.——*See* also *Accounts. Messengers. Subordinate Officers.*

D.

Declarations. See *Evidence.*

Downes, Mr. See *Clerks. Ross Lane Committee.*

E.

Election of 1852. Witness does not believe that any money was spent illegally or improperly at the election in 1852, *Grogan* 3694.

Election Agent. See *Agents.*

Election Auditor. Witness is a barrister in Dublin, *Tudor* 2218——Was election auditor in the late election for Dublin, *ib.* 2219——Also acted as election auditor at this election, *ib.* 2644.

Evidence. Circumstances under which witness went to Mr. Kernan to state what evidence he could give in reference to the petition; his statement was taken down in writing, *Byrne* 155-166——About the middle of June witness was frequently hunted up, and followed, and asked whether he could do anything to support this petition, *Moulds* 252. 266. 292——At first witness told the truth, and said he could not, *ib.* 266. 293, 294——Detail of the circumstances under which witness was afterwards induced to sign a declaration before a magistrate that he knew that the two Reeves had been bribed with the sum of 2*l.* each by Dr. Henry B. Huffield, *ib.* 266-270. 275-311——A man of the name of Cruikshank was the principal instigator to witness's signing this declaration, *ib.* 288-302——Witness now declares on his oath that there is not a word of truth in this declaration, *ib.* 311-329.

A man of the name of Cruikshank, a shoemaker, first came to witness about the evidence he was to give before this Committee, *Hassett* 574-590——Cruikshank told witness that if he gave evidence here he would be handsomely rewarded; amount witness has received, *ib.* 591-602——Particulars as to witness's having given evidence before Mr. Kernan and Mr. Tracey, in Dublin, and as to his having signed a declaration, *M'Guinness* 669-686. 690-695——Before witness came over he went before Reynolds' and Brady's committee, and gave the evidence he has given here; parties who first came to him on this business, and took him before the committee, *Hamilton* 784-794.

Witness was astonished when he got the summons to attend here, as he had never said anything about being able to give any evidence in this matter, *Rogers* 1149-1162——Witness cannot conceive why he has been summoned here; had never made any statement of any evidence he could give; the receipt of the Speaker's warrant was the

Report, 1857—*continued.*

Evidence—continued.

first he ever heard of it, *D. A. Brown* 1303-1309——Evidence relative to witness having been taken by a man of the name of Cruikshank to Mr. Herman's office to state what evidence he could give before this Committee, *Harrison* 1453-1469. 1501-1505.

Circumstances under which witness first gave information to Alderman Reynolds on the subject of this petition; witness received 15*s.* on that occasion, *Farrell* 1680-1705——When witness went over to Mr. Reynolds' party, he stipulated that he was to receive 15*s.* a week till he could give evidence here; besides this, he had his fare paid to come here and go back, and two sovereigns besides, *ib.* 1715-1718——Witness had not said a word about his evidence till he was dismissed from the Conservative Society, *ib.* 1755-1764——Witness was drunk at the time he first made the statement to Mr. Reynolds, and asked for the 15*s.*; is generally drunk, *ib.* 1800-1823.

Witness was served with a Speaker's warrant a few hours ago, and this is the first he has heard of coming here to give evidence, *H. E. Brown* 1996, 1997——Witness was only summoned a day or two ago, and had not been asked what evidence he could give before he was summoned, *W. Brown* 2285-2290.

See also *Witnesses.*

Expenses of the Election. Witness certified for payment of expenses incurred, *Cusack* 3512——Witness did not pay one penny on account of the election that is not comprised in the auditor's account, except some small sums for preparing a poll-book, which witness did not hand in, not considering it connected with the election, *ib.* 3513. 3523, 3524——All directions as to the expenses of the election were confided exclusively to witness, *Gibson* 3368.

See also *Accounts. Agents. Illegal Expenditure. Travelling Expenses.*

Expenses of Witnesses. All that witness has received from the party to whom he has given his evidence has been two sovereigns and his fare here and back, *Byrne* 189-195——Amount witness has received towards his expenses, *M'Guinness* 687-689. 696-699——Evidence as to how witness was brought over to London; has received nothing but his bare expenses, *Hamilton* 771-783——Does not know how much he is to get, *ib.* 784, 785——Witness did not ask for any money before he came over, *ib.* 884——Witness got 5*l.*; 3*l.* to come over with, and 2*l.* to leave with his family, *Harrison* 1469, 1470——Witness, much to his regret, has not received any money since he has been in London; has not applied for any; will leave it to their honour, *Farrell* 1824-1828.

F.

Farrell, James. (Analysis of his Evidence.)—A silk-weaver by trade, and sometimes employed as a writing-clerk, 1519——Was secretary of the Protestant Freeman's Fellowship Society for about four years from its commencement, 1520——Mr. Lilley, of 68, Bride-street, has been president of the society for about three years, 1521, 1522——Evidence as to the formation of this society, partly for political purposes and partly as a benefit society for poor members, 1523-1541. 1574, 1575. 1651-1655.

Most of the freemen had felt dissatisfaction at not being remunerated for their votes at the election in 1852, and they thought by organisation they could act more effectually for election purposes, 1529-1538. 1648-1650——Number of members enrolled at the time of the election in 1857; number of *bonâ fide* paying members, 1539-1542.

Evidence in detail relative to various meetings of the society which were held just on the eve of the election with the view to promoting the return of Grogan and Vance, 1544-1562. 1576-1593. 1656, 1657. 1661——Witness has heard that in 1852 Messrs. Grogan and Vance promised 500*l.* to the Protestant Orphan Society, 1563-1565——At the time of the election the funds of the Ross-lane Society amounted to about 40*l.*; how far Mr. Lilley had any control over these funds; Mr. Grogan and Mr. Vance contributed 5*l.* a year each, 1566-1572.

Regulations which were made with respect to the freemen attending on the day of nomination; those that attended were to have 2*s.* 6*d.* each from the funds of the society, 1576-1593. 1636-1647——Most of those who attended were voters, 1587-1593——The Ross-lane Society's rooms were the tally-rooms of the Conservative candidates, 1594——Witness attended a meeting after the election, at which Mr. Lilley was in the chair, 1595-1598——Great dissatisfaction had arisen at the men not getting what had been promised them, 1599——And Mr. Lilley, at this meeting, stated that all he could say was, that the promise he had made should be faithfully kept, 1599—— He also added that it would not then be prudent for him to say more, as the Dublin election petition was then pending, 1599.

Names of some of the persons who were present whom witness knew and who must have heard this statement, 1600-1617——Evidence as to Lilley having told witness that the person upon whom he relied to have all this matter arranged after the investigation was

Mr.

Report, 1857—*continued.*

Farrell, James. (Analysis of his Evidence)—*continued.*

Mr. Cusack, 1618–1635——Witness is not aware that since the election any of the members have been turned out of the society for voting for Reynolds and Brady, 1658–1660.

Witness was not actually dismissed from his office of secretary to this society for drunkenness, but resigned when he found he was not steady enough to attend to the business, 1662–1675——Circumstances under which witness first gave information to Alderman Reynolds on the subject of this petition; witness received 15*s.* on that occasion, 1680–1705——Witness had left the employ of the Conservatives about a week before he went to Mr. Reynolds, 1706–1714——When witness went over to Mr. Reynolds' party he stipulated that he was to receive 15*s.* a week till he could give evidence, here; besides this he has had his fare paid to come here and go back, and two sovereigns besides, 1715–1738——Witness did not take these sums into consideration when he thought of giving his evidence, 1739 *et seq.*——Witness would not, however, have come without he had expected to be well paid, 1740–1743.

Witness does not recollect that he asked Alderman Reynolds if he could get him a Government situation, 1744–1750——Witness was not offered 100*l.* if he could give evidence that would implicate Mr. Cusack, 1751–1754——Witness had not said a word about his evidence till he was dismissed from the Conservative Society, 1755–1764——Has never made use of the expression, that it was a bad job for the Conservative party that they had dismissed him, and that they should repent it, 1765–1784.

Witness is not sure he told Mr. Reynolds all he has told this Committee; believes what he told Mr. Reynolds was taken down it writing, 1794–1799. 1831–1838——Witness was drunk at the time he first made the statement to Mr. Reynolds, and asked for the 15*s.*; is generally drunk, 1800–1823——Witness, much to his regret, has not received any money since he has been in London; has not applied for any; will leave it to their honour, 1824–1828——The Ross-lane rooms were used by the Conservative party during the election, 1841–1845.

Freemen. Witness has been a freeman since 1841; knows nothing about the society that was formed in 1852, *Byrne* 197–199——Many of the freemen are people in humble circumstances; there are also some of the first people in Dublin who are freemen; in fact, the freemen are the most extraordinary class in existence; they number nearly 3,000, *Conway* 2051–2058.

See also *Bribery.* *Head Money.* *Nomination.* *Protestant Orphan Society.* *Ross-lane Society.*

Frewen, William Samuel. (Analysis of his Evidence.)—Relieving-officer of the Meath-street district, 3179——Has known a man of the name of John Hamilton, of 16, Bride-street, for some time, 3180, 3181——Never on any occasion, either directly or indirectly, offered him money for his vote, 3182–3184——The last money witness ever gave him was 4*d.* in charity; has often during the last twelve months given him food and soup tickets, 3184, 3185——By his own request witness took him up in a car to vote, as he had a bad leg, 3186–3193.

Witness had nothing to do with supplying him with any clothes or money, 3193–3202——Witness was not a paid agent; merely acted as a friend of Vance and Grogan, 3203, 3204. 3236–3243. 3248——Hamilton had promised witness his vote before the polling day, 3210, 3211——Witness never in Hamilton's presence slapped his pocket, and said, "I have got it here;" nor did he ever hold up his five fingers to him to give him to understand he was to have 5*l.*, 3212–3217. 3230–3235. 3244–3247——Hamilton has never asked witness for money since the election, 3218, 3219. 3229.

G.

Gibson, William. (Analysis of his Evidence.)—Solicitor in Dublin, of twenty-five years' practice, 3362, 3363——Was employed as election agent in 1852; 3364——Was applied to shortly before the last election to become an agent, 3365——The first steps taken were merely with the view of preventing the Conservative party being taken by surprise, a very large majority being anticipated; in fact, a contest was doubtful, 3366, 3367. 3412–3419——All directions as to the expenses of the election were confided exclusively to witness, 3368——To witness's knowledge not one farthing was spent except what was paid through the auditor's account, 3369–3374.

Witness took the committee-rooms and employed the clerks and all the subordinates, 3375–3377——All those employed had a card given them, and this was their voucher afterwards to Mr. Cusack for payment, 3378, 3379——Evidence as to the appointment of the committees for the different wards in Dublin, 3380–3383——Particulars relative to the formation of the Ross-lane committee; names of some of the members, 3384–3389——Mr. Lilley was merely appointed clerk to this committee, and had no authority to make any payments whatever, 3390–3395. 3488–3495——Witness had distinctly instructed Mr. Lilley that no expenses were to be promised or paid to freemen, 3396.

Report, 1857—*continued.*

Gibson, William. (Analysis of his Evidence)—*continued.*

Cards were filled up with the register number and polling-booth, for all those who were marked on the list as Conservative voters, and were delivered to them as they called for them, 3397, 3398——Reason why car tickets were printed, 3399——When witness employed any one no inquiry was made whether he belonged to Ross-lane or anywhere else, 3400–3411.

Witness has heard Mr. Vance say, that he would not pay any money to the Ross-lane men, 3420–3424——Evidence relative to the powers which were committed to Mr. Lilley and Mr. Downes with regard to the Ross-lane committee, 3425-3443. 3452. 3455——Witness never gave Lilley any instructions whatever, either directly or indirectly, to take the management of the election in that committee-room, 3425–3452. 3464. 3481–3505——Witness saw Lilley's account before it was submitted to the election auditor; how far it has been altered from its original state, 3444–3451. 3465, 3466. 3475, 3476——Instructions witness gave to Lilley with respect to hiring the cars, 3479, 3480. 3484. 3506.

Gibson, Mr. See *Agents.*

Grogan, Edward (*a Member of the House*). (Analysis of his Evidence.)—One of the Sitting Members for Dublin, 3690——Was first returned in 1841, and has represented that city to the present hour, 3691, 3692——In 1852 Mr. Vance was first returned with witness, 3693——Witness does not believe that any money was spent illegally or improperly at the election of 1852; 3694——From 1852 up to 1856 considerable attention had been paid to the registration, and the last report of the Registration Society showed a large Conservative majority, 3695-3697——Employed Mr. Gibson as his agent, and Mr. Martin was employed under him; Mr. Cusack was agent for the election expenses, 3698, 3699——With the exception of these persons no one was authorised to expend a shilling, or employ anybody, 3700–3704.

Witness expressed the strongest wish that no illegal expenditure of any kind should be incurred, 3705——Witness believes that no payment whatever was made for travelling expenses, 3706——Witness gave no authority, either direct or implied, to Mr. Lilley, with reference to the election, 3707–3712.

After the election of 1852 a proposition was made that Mr. Vance and witness should subscribe a sum of 500 *l.* towards the Protestant Orphan School, provided a similar sum was raised by the freemen; but as they were only able to raise 37 *l.* the proposition fell to the ground, 3713-3717——Witness never said anything about renewing this promise in 1857; 3713-3717. 3742-3744——Witness has always impressed on Mr. Cusack his strong desire to have the election conducted on the purest principles, and believes these instructions were complied with, 3718-3722——Witness believes he was one of the original subscribers to the Ross-lane society, and has subscribed annually to it since, 3736–3741.

Grogan, Mr., M.P. Resolution of the Committee that Mr. Grogan is duly elected a burgess to serve in the present Parliament, *Ev. p.* iii——Witness is one of the Sitting Members for Dublin, *Grogan* 3690——Was first returned in 1841, and has represented that city to the present hour, *ib.* 3691, 3692——In 1852 Mr. Vance was first returned with witness, *ib.* 3693.

H.

Hamilton, John. (Analysis of his Evidence.)—Resides in Brereton-street in the liberty of Dublin; is a freeman of Dublin, 714, 715——Witness knows a person of the name of Frewen; he has assisted witness in getting relief at the dispensary; saw him a day or two before the election, 716–724——Evidence as to witness having told Frewen on the morning of the nomination that he should not like to vote without getting some money, and he asked Frewen if he could do anything for him, 725–737——Witness got the idea in his head that he was to have 5 *l.*, though nothing was said about it, 725–737——All witness got afterwards from Frewen was 5 *s.*, 738. 749, 750. 853–874.

Witness called on Mr. Frewen once after he had given him the 5 *s.* to ask him for more money; he flew at witness in a great passion, and witness walked away, 751–770——Evidence as to how witness was brought over to London; has received nothing but his bare expenses, 771–783——Does not know how much he is to get, 784, 785——Before witness came over he went before Reynolds' and Brady's committee, and gave the evidence he has given here; parties who first came to him on this business and took him before the committee, 784–794.

Witness knew what he was going before the Committee for, as he had been going about saying that he had been taken in; he expected money and had got none, 795–803——Witness was angry because he thought there was money going, and formerly when there was money going he had always had his share of it, 804–814——Evidence as to the mode in which witness has gained his livelihood since the election; has lived principally on charity; has had no relief from Mr. Frewen since the election, 815–852.

Witness knows a man of the name of Doyle, he was present when witness voted, 875, 876——Witness is a Protestant freeman; does not belong to the Ross-lane Society, 880, 881——

Report, 1857—*continued.*

Hamilton, John. (Analysis of his Evidence)—*continued.*

881——Witness did not ask for any money before he came over, 884——Witness has had relief from many persons since the election, both before and after he went to this committee in Dublin; but did not get anything more than 5*s.* for his vote, 885-917——Witness did not have any printed card given him at the election, nor any list of the polling-booths, 918.

Hamilton, Mr. See *Bribery*, II. 3.; III. 3.

Harrison, Francis. (Analysis of his Evidence.)—Carpenter, living at No. 8, Hoye's-court; is a freeman; voted for Grogan and Vance, 1373-1376——Knows John Lilley perfectly, 1377——Knows Hassett; was with him on the 30th March last in Green-street, opposite the court-house, 1377-1381——Saw Lilley there, and heard Lilley say to Hassett, "Now Hassett, go and vote, and we will satisfy you in every way;" witness did not hear Hassett's reply, 1382-1399——Witness is a member of the Ross-lane Society; has attended several meetings at their rooms since the election; on one of these occasions Mr. Lilley was chairman, 1400-1430——Nothing was said at this meeting by Lilley with respect to any promises made at the election, further than that any promises he had made he would fulfil, 1431. 1434-1438.

A charge was brought against Mr. Conway, who sometimes took the chair at meetings of the society, of having given information to Reynolds' and Brady's committee, 1431-1433——At the meeting at which Mr. Lilley was chairman, he said nothing about this petition, 1438——Witness has not attended the meetings of the society for the last six weeks, 1449-1452. 1516-1518——Evidence relative to witness having been taken by a man of the name of Cruikshank to Mr. Kernan's office, to state what evidence he could give before this Committee, 1453-1469, 1501-1505——Witness got 5*l.*; 3*l.* to come over here, and 2*l.* to leave with his family, 1469, 1470.

Hassett, Joseph. (Analysis of his Evidence.)—Freeman; lives in Linen Hall-street, Dublin; is a congreve match manufacturer, 498-500——Witness always voted for Grogan and Vance, and always will, 503-505——Evidence as to witness having met Mr. Lilley on the morning of the election, and as to his having told him that he (witness) understood Mr. Lilley had promised to pay a man of the name of Mahon for his loss of time, 501, 502. 506-520. 560-564——Witness told Lilley he supposed he should get the same, and Mr. Lilley's reply was "Yes," 520——Witness is a member of the Ross-lane Society, 521.

Mr. Lilley sometimes takes the chair at the meetings of this society, and witness believes that on one or two occasions he has stated that whatever he had promised he would fulfil, 522-554. 557-559——Witness was paid 13*s.* 10*d.* through the election auditor for his services; was paid on Easter Monday, 565-567.

A man of the name of Cruikshank, a shoemaker, first came to witness about the evidence he was to give before this Committee, 574-590——Cruikshank told witness that if he gave evidence here he would be handsomely rewarded; amount witness has received, 591-602——There is no doubt Cruikshank will be paid for his services, 603——Witness was not bribed for his vote at the last election, though he might have had a bribe from Reynolds' and Brady's party, 604-607——The Ross-lane Society always vote for the Protestant party, 608-613.

Hassett, Mr. See *Bribery*, II. 4.

Head Money. There is no wonder the Ross-lane Society's men were dissatisfied both with the election and the election of 1852, as before 1852 there was always a practice of giving them head-money after the election, *Smith* 3115. 3127-3137.

I.

Illegal Expenditure. Messrs. Vance and Grogan frequently gave instructions that no illegal expenses should be incurred, and every precaution possible was taken to carry these instructions out to the letter, *Smith* 3075-3078——To witness's knowledge not one farthing was spent except what was paid through the auditor's account, *Gibson* 3369-3374——Had particular instructions from both the candidates that nothing was to be spent but what was strictly legal, *Cusack* 3514-3516. 3568-3571.

Witness expressed the strongest wish that no illegal expenditure of any kind should be incurred, *Grogan* 3705——Witness gave both Mr. Gibson and Mr. Cusack the strongest directions to spend no money illegally, *Vance* 3759-3762. 3785-3789——No money was spent except through the hands of these two gentlemen, *ib.* 3765-3769——Witness will not undertake to repay any sums that may have been spent by the Ross-lane Society illegally, *ib.* 3790, 3791.

See also *Bribery. Treating. Travelling Expenses.*

K.

Kernan, Mr. See *Evidence.*

Report, 1857—*continued.*

L.

Lilley, Mr. Mr. Lilley has stated at meetings of the Ross-lane Society that "the promises which were made should be fulfilled," or something tantamount to that, but that nothing could be done till the petition was lodged, *Harrison* 1400–1438; *Farrell* 1595–1599; *H. E. Brown* 1928–1933. 1952–1954. 1965–1969; *Conway* 2008–2045——There was a great deal of dissatisfaction among some of the members, and a great deal of grumbling, *H. E. Brown* 1947–1951. 1965–1969——The freemen pretty generally were grumbling and complaining that they had not been settled with, *Conway* 2019, 2020. 2024–2034. 2038–2043——Witness was never in such an awful position as to be before a Committee of the British House of Commons before, and it is impossible for him to recollect much that occurred, *ib.* 2032.

Witness has heard Lilley say that anything he had said he would abide by and see it fulfilled, and witness believes this had reference to a dinner that had been spoken about, *Benson* 2367–2380. 2434–2442——Mr. Lilley's employment was nothing more than clerk to the committee, *Smith* 3160–3165. 3168–3174——Mr. Lilley was merely appointed clerk to the Ross-lane committee, and had no authority to make any payments whatever, *Gibson* 3390–3395. 3488–3495——Witness had distinctly instructed Mr. Lilley that no expenses were to be promised or paid to freemen, *ib.* 3396.

Mr. Lilley was never authorised to promise anything, or any expenses to any freemen, *Cusack* 3525–3528——Witness never gave any promise to Lilley about paying money to the freemen after the election, *ib.* 3562–3566——Witness never paid anything on Lilley's order without Mr. Gibson's signature, *ib.* 3567——Lilley was never acknowledged as a member or clerk of the general committee, *ib.* 3597–3606——Nor had he the management of the Ross-lane committee, *ib.* 3616–3619——Witness gave no authority, either directly or implied, to Mr. Lilley, with respect to the election, *Grogan* 3707–3712.

See also *Accounts. Bribery*, II. 6. *Cars. Clerks. Petitions. Ross Lane Committee. Ross Lane Society.*

Local Committees. The whole of the local committees were subordinate to the general committee, and took their instructions from them, *Cusack* 3544–3550.

Loughrey, Michael. Has served a Speaker's warrant upon a man of the name of George Strong, 2206, 2207——Served him in the South Dublin Union Workhouse; he was a pauper there, 2208, 2209——At the time of service witness gave him a return ticket and two sovereigns, 2210——Has seen him in London, but cannot find him now, 2211–2213.

M.

M'Guinness, Robert. (Analysis of his Evidence.)—Freeman of Dublin, 618–620——Evidence as to witness having asked Lilley whether he should get anything for his vote, and as to Lilley having told him he would get 3 *l.*, but he has never got it, 621–626. 630, 631. 650, 651——At a meeting of the Ross-lane Society shortly after the election at which Mr. Lilley was in the chair, he told the meeting he would see them all satisfied, 627–629. 633–649. 652. 700–713——Way in which witness was brought up to London as a witness, 653–668——Particulars as to his having given evidence before Mr. Kernan and Mr. Tracey in Dublin, and as to his having signed a declaration, 669–686. 690–695——Amount witness has received towards his expenses, 687–689. 696–699.

M'Guinness, Mr. See *Bribery*, II. 5.

Majority. The revision of the registration had been carefully watched on the part of the Conservatives, and a very large majority was calculated upon, *Smith* 3058–3060——The first steps taken were merely with the view of preventing the Conservative party being taken by surprise; a very large majority being anticipated; in fact, a contest was doubtful, *Gibson* 3366, 3367. 3412–3419——Witness acknowledges that the Conservative majority was much smaller than was expected, though the election was never in doubt during the whole of the contest, *Cusack* 3575–3582. 3586, 3587——The very large majority anticipated by witness and his colleague was most probably the reason of its being so small, as it made the Conservatives apathetic, *Vance* 3753–3758——The change of the day of election and the non-allowance of travelling expenses also materially reduced the anticipated majority, *ib.* 3754. 3762–3764.

Messengers. Evidence as to witness having gone to the committee-room of Vance and Grogan in Dame-street early on the morning of the election to try to get employed as a messenger, *Moy* 428–433——Witness saw Mr. Gibson, who gave him a card; witness kept the card, and the week following Mr. Cusack signed it, and witness got 13 *s.* 10 *d.* down in Forster-place, *ib.* 434 437. 450——When witness asked for employment, nothing was said about his voting, *ib.* 435, 436——Witness was employed in bringing up voters who wanted cars, *ib.* 438–440.

Report, 1857—*continued.*

Messengers—continued.

Witness was employed as a sort of messenger on the polling day, as well as a good many more of the society; was employed and paid by Mr. Gibson, *Tighe* 480–495——Witness was paid 13*s.* 10*d.* through the election auditor, for his services; he was paid on Easter Monday, *Hassett* 565–567——Witness was employed on the occasion of the last election by Mr. Lilley, *Reed* 2139, 2140——Was first employed at the court-house on the day of nomination, and after that to bring up voters, *ib.* 2141——Was paid 13*s.* 10*d.* for his attendance on the day of polling; was paid by the order of Mr. Cusack, but had great difficulty in getting it, *ib.* 2168–2178.

Mowlds, George. (Analysis of his Evidence.)—Law clerk; has been in the service of Mr. Wybrow, of Harcourt-street, 230–233——Knows two persons of the name of Reeves, freemen of the city of Dublin, 234–236——Witness does not recollect having had any conversation with Joseph Reeves about his vote previously to the election; witness has conversed with him about it since he has had notice that he would be brought here, 237–265. 271–274——Witness has seen Dr. Haffield in company with Reeves about the time of the election, but cannot say whether it was before or after, 248–251.

About the middle of June witness was frequently hunted up and followed, and asked whether he could do anything to support this petition, 252. 266. 292——At first witness told the truth, and said he could not, 266. 293, 294——Detail of the circumstances under which witness was afterwards induced to sign a declaration before a magistrate, that he knew that the two Reeves had been bribed with the sum of 2 *l.* each by Dr. Henry B. Haffield, 266–270. 275–311.

A man of the name of Cruikshank was the principal instigator to witness's signing this declaration, 288–302——After making this declaration, witness may have repeated the story twenty times, stated something tantamount to it to Mr. Hernan, the attorney for the petitioners, 303–309——Witness now declares on his oath that there is not a word of truth in this declaration, 311–329.

Witness has told Mr. Coppock that if he put witness into the box he should deny the facts, 328, 329——The man Cruikshank, who hunted witness about, is a shoemaker; witness does not know whether he was employed in getting up evidence for the petitioners, 331, 332——Witness does not know in whose handwriting the document is, 333–336.

Moy, William. (Analysis of his Evidence.)—Freeman of Dublin, 427——Evidence as to witness's having gone to the committee-room of Vance and Grogan, in Dame-street, early on the morning of the election, to try to get employed as a messenger, 428–433——Witness saw Mr. Gibson, who gave him a card; witness kept the card, and the week following Mr. Cusack signed it, and witness got 13 *s.* 6 *d.* down in Forster-place, 434–437. 459——When witness asked for employment nothing was said about his voting, 435, 436——Witness was employed in bringing up the voters who wanted cars, 438–440——Witness knows a man of the name of M'Dermot; did not ask him for his vote; but may have told him if there was anything to be given he would get it as well as another, 441–450. 457.

When witness was paid the 13 *s.* 6 *d.* he did not ask for more, 451–456——Witness is a member of the Ross-lane Society; object of this society; it has nothing whatever to do with the election, except that all the members are freemen; nor had the election anything to do with it, 460–470——The rooms were let at the time of the election, but witness does not know what was paid for them, 471–473.

N.

Naughten, Thomas. (Analysis of his Evidence.)—Lives at 98, Bride-street, Dublin; is at the present time in the oil and spirit trade, 2887, 2888——Knows Major Bramston Smith; has heard he was chairman of the committee of Grogan and Vance; knows Mr. Burke of Bride-street, 2889–2891——Received 100 *l.* from Mr. Bramston Smith the day before the election; way in which witness disposed of this sum, 2892–2896. 2900–2954——Witness had no communication with Mr. B. Smith during the election, 2897——Took Burke to him after the election at Burke's own request, he wanted to ask Mr. Smith's interest to get him a canteen, 2898, 2899.

Witness did not pay any of the 100 *l.* to Burke, 2900, 2901——Nor did he pay any of it to a man of the name of Darsey; neither did he treat any of the freemen at Darsey's house, 2903–2917——Witness totally denies that he borrowed the 100 *l.* in order to treat the freemen, 2955——Evidence in detail relative to various business transactions witness has had with Mr. Bramston Smith during the last fifteen or sixteen years; this 100 *l.* was a part of them, 2956–2978.

Naylor, James Richard. (Analysis of his Evidence.)—Produces the writ and return for the City of Dublin; dates thereof, 1–3.

Report, 1857—*continued.*

Nettleton, Peter. (Analysis of his Evidence.)—Street newsvendor, and a freeman of Dublin, 1310–1312——On the morning of the election witness went to Grogan and Vance's committee-room in Dame-street, and saw Mr. Cusack, who appointed him a messenger, and gave him a document entitling him to get 13 *s.* 10 *d.*; but not for his vote, 1313–1322. 1324–1327——Witness solemnly swears that he did not take a bribe to vote for him or any other man, 1322, 1323——Witness has seen Mr. Lilley on various occasions, both before and since the election, and has asked him how things were going on, but got no particular answer from Mr. Lilley, 1328–1367——What witness meant by this question was, that if there was anything going on, in the shape of compensation he might get some of it, 1355–1362.

Nettleton, Mr. See *Bribery*, II. 6. III. 4.

Nomination. Regulations which were made with respect to the freemen attending on the day of nomination; those that attended were to have 2 *s.* 6 *d.* each from the funds of the society, *Farrell* 1576–1593. 1636–1647——Most of those who attended were voters, *ib.* 1587–1593——Produces a list of fifty-six members of the society who received 2 *s.* 6 *d.* each for attending the nomination, *Benson* 2296–2306——Witness brought the money from his own house to pay them; had previously drawn 10 *l.* out of the funds of the society at the bank, *ib.* 2310–2351——A resolution was passed at a meeting of the society to draw this sum out of the bank for the current expenses of the week, and witness had other monies in his hands, making together about 20 *l.*, *ib.* 2310–2351.

Several of those who received the 2 *s.* 6 *d.* on the nomination day were not voters, *Benson* 2443——They were called out and paid to attend there as a protection to their friends, *ib.* 2444–2450. 2518–2542——The payments of 2 *s.* 6 *d.* each to the men for attending at the nomination has not been entered in the accounts; reasons why witness attributes the cause of this non-entry to the election petition, *ib.* 2564–2604. 2616–2623——From the very first witness repudiated an account Lilley brought him for 16 *l.* for paying freemen attending the nomination; the lodging of this petition had nothing whatever to do with witness's refusal to pay it, *Cusack* 3645–3676. 3680–3689.

P.

Petitions. At the meeting of the freemen, at which Mr. Lilley was chairman, he said nothing about this petition, *Harrison* 1438——Witness has heard Lilley tell persons they should be guarded in their talk while the petition was pending, *Benson* 2368——Witness does not recollect having heard anything said, when Mr. Lilley was present, as to the last day for presenting this petition, *ib.* 2452–2464. 2516, 2517——A petition was presented against witness's return, but it was not proceeded with, *Vance* 3749–3752.

Poll-books. Witness produces the poll-books for the Dublin election for 1857, *Clement* 4——Witness is agent for the clerk of the Hanaper, and is acting for him under the 13 & 14 Vict., c. 62, s. 102; *ib.* 5–11.

Protestant Orphan School. Reference to a promise which was made by the Sitting Members to give 500 *l.* to the Freeman's School, provided another 500 *l.* was collected on the part of the freemen, *Farrell* 1563–1565; *Burke* 1857–1866. 1881–1893; *H. E. Brown* 1983–1992; *Benson* 2624–2635; *Smith* 3095–3100; *Cusack* 3530–3536. 3798–3803.

Protestant Orphan Society. After the election of 1852 a proposition was made that Mr. Vance and witness should subscribe a sum of 500 *l.* towards the Protestant Orphan School, provided a similar sum was raised by the freemen, but as they were only able to raise 37 *l.*, the proposition fell to the ground, *Grogan* 3713–3717——Witness never said anything about renewing his promise in 1857, *ib.* 3713–3717. 3742–3744——Evidence relative to a proposition made after the election of 1852, that witness and his colleague would give 500 *l.* towards the Protestant Orphan School, provided the freemen would raise another 500 *l.* within twelve months, *Vance* 3768–3782. 3792–3797——This sum was not raised, and the proposition fell to the ground, *ib.* 3768–3782——There was no idea on witness's part, or of that of Mr. Grogan, of renewing it, *ib.* 3768–3782. 3792–3797.

Public Meetings. Witness's house is nearly opposite the Ross-lane rooms; went over there the Friday before the election to hear a speech, *Burke* 1847–1856——What witness saw of the meeting, and the persons who attended it; he would say it was much more a public meeting than a meeting of Protestant freemen, *ib.* 1856. 1868–1880——Witness has attended meetings of the freemen about the time of the election; has seen Messrs. Grogan and Vance there; has heard them speak at these meetings, *H. E. Brown* 1901–1903. 1908–1914——Witness attended the meeting at the Music-hall, but did not get anything for going, either in drink or money, *Wynne* 2101–2123——Attended the meeting at the Music-hall; was paid 2 *s.* 6 *d.* for this at the Dublin Protestant Association Office; saw other freemen paid there, *Reed* 2161–2167. 2196. 2204, 2205.

Report, 1857—*continued.*

Purity of Election. Witness always heard it said that this election was to be conducted on the purest principles, *Benson* 2512, 2513—— Witness has always impressed on Mr. Cusack his strong desire to have the election conducted on the purest principles, and believes these instructions were complied with, *Grogan* 3718–3722.

R.

Reed, John. (Analysis of his Evidence.)—Witness's father is a freeman of Dublin; witness is a law messenger, 2137, 2138——Was employed on the occasion of the last election by Mr. Lilley, 2139, 2140——Was first employed at the court-house on the day of nomination, and after that to bring up voters, 2141——Was paid 3*s.* by Mr. Benson for going to the nomination; several other parties were paid, some 2*s.* 6*d.*, and some 3*s.*; names of some of these parties, 2142–2160. 2195–2203.

Attended the meeting at the Music-hall; was paid 2*s.* 6*d.* for this at the Dublin Protestant Association Office; saw other freemen paid there, 2161–2167. 2196. 2204, 2205——Was paid 13*s.* 10*d.* for his attendance on the day of polling; was paid by the order of Mr. Cusack, but had great difficulty in getting it, 2168–2178——Evidence relative to witness and a man of the name of Bush having got some clothes out of pawn to enable a man of the name of Benjamin Rogers to go up and vote, 2179. 2194.

Register of Voters. From 1852 up to 1856 considerable attention has been paid to the registration, and the last report of the Registration Society showed a large Conservative majority, *Grogan* 3695–3697.

Rogers, Benjamin. (Analysis of his Evidence.)—Lives in Chancery-lane, Dublin; is a freeman, 919–922——Witness was a letter-press printer, but trade was so bad that witness was in very distressed circumstances just before the election; had been obliged to pawn all his clothes, 923–928——No one said anything to witness about his vote previous to the election, 929——On the morning of the election witness could not go out to vote as he had no clothes, 934–937.

Particulars relative to two persons whom witness knew, of the names of Bush and Reed, and another man, a stranger to witness, having taken witness's clothes out of pawn and bringing them to him, and taking him up to vote, 934–986. 1025, 1026——Witness was not taken to any committee-room or tally-room on his way, nor was anything said about his voting, 987–989——Witness has again pawned his clothes since the election; evidence as to how he has got his living, 990–1024.

Witness knows Mr. Lilley; went to his house shortly after the election, thinking he might have heard some news for witness, that is, in regard to his getting some money for his vote, 1027–1046——Witness saw him at his door, and told him he was badly off, and he gave witness a shilling; witness asked him if he should look in again in a day or two, and he said "yes," 1047–1061. 1098–1100——Witness called again frequently, but never got anything but the shilling, 1062–1069.

When witness saw Mr. Lilley the second time, he spoke to witness about joining the society in Ross-lane, and said if there was anything to come it would come through them and them alone, 1070–1076. 1101–1107.

Witness did not join the society; went to the rooms two or three times for the purpose of attending the meetings there, but was not admitted as he was not a member, 1077–1097. 1108–1121——No one told witness to come over here; he was summoned to attend, 1122——Witness has got better, and his trade has also got better since the election; is employed by Messrs. Marlow, supporters of Reynolds and Brady, and earns from 15*s.* to 18*s.* a week, 1123–1148——Witness was astonished when he got the summons to attend here, as he had never said anything about being able to give any evidence in this matter, 1149–1162.

Rogers, Mr. See *Bribery*, II. 7.

Ross-lane Committee. The Ross-lane rooms were let at the time of the election, but witness does not know what was to be paid for them, *Moy* 471–478——The Ross-lane rooms were used by the Conservative party during the election, *Farrell* 1841–1845——Mr. Downes was the principal person engaged at the committee-room, regulating and directing the affairs of the committee, *Benson* 2859–2864——To witness's knowledge, no member of the Ross-lane committee was authorised, either directly or indirectly, to make any promises of money to any freeman or other person, *Smith* 3106–3126.

Particulars relative to the formation of the Ross-lane committee; names of some of the members, *Gibson* 3384–3389—— Evidence relative to the powers which were committed to Mr. Lilley and Mr. Downes with regard to the Ross-lane committee, *ib.* 3425–3443. 3452–3455——Witness never gave Lilley any instructions whatever, either directly or indirectly, to take the management of the election in that committee-room, *ib.* 3425. 3452. 3464. 3481–3505.

Report, 1857—*continued.*

Ross-lane Society. Witness is a member of the Ross-lane Society; object of this society; it has nothing whatever to do with the election, except that all the members are freemen; nor had the election anything to do with it, *Moy* 460-470——Witness has never heard Lilley say anything on the subject of the election, further than that he expected that every man belonging to the society would vote for Vance and Grogan; it has been a general rule of the society to vote for the Conservatives; it is a Protestant society, *Tighe* 482-487——Mr. Lilley sometimes takes the chair at the meetings of this society, and witness believes that on one or two occasions he has stated that whatever he had promised he would fulfil, *Hassett* 522-554, 557-559——The Ross-lane Society always vote for the Protestant party, *ib.* 608-613.

Witness was secretary of the Protestant Freeman's Fellowship Society for about four years from its commencement, *Farrell* 1520——Mr. Lilley, of 68, Bride-street, has been president of the society for about three years, *ib.* 1521, 1522——Evidence as to the formation of this society, partly for political purposes and partly as a benefit society for poor members, *ib.* 1523-1541, 1574, 1575. 1651-1655——Most of the freemen had felt dissatisfaction at not being remunerated for their votes in 1852, and they thought by organisation they could act more effectually for election purposes, *ib.* 1529-1538. 1648-1650——Number of members enrolled at the time of the election in 1857; number of *bonâ fide* paying members, *ib.* 1539-1542.

Evidence in detail relative to various meetings of the society which were held just on the eve of the election, with the view of promoting the return of Grogan and Vance, *Farrell* 1544-1562. 1576-1593. 1656, 1657. 1661——At the time of the election the funds of the Ross-lane Society amounted to about 40 *l.*; how far Mr. Lilley had any control over these funds; Mr. Grogan and Mr. Vance contributed 5*l.* a year each, *ib.* 1566-1572——Witness is not aware that since the election any of the members have been turned out of the society for voting for Reynolds and Brady, *ib.* 1658-1660——Witness was not actually dismissed from his office as secretary to this society for drunkenness, but resigned when he found he was not steady enough to attend to the business, *ib.* 1662-1675.

Evidence showing that the attendance of members at the Tuesday evening meetings is very small, excepting at times approaching an election, *Wynne* 2071-2085——Is at present acting secretary of the Ross-lane Society; is treasurer, *Benson* 2294, 2295——Lilley is president of the society; he was backwards and forwards on the occasion of the election, *ib.* 2307. 2309——At some of these meetings the freemen may have complained to Mr. Lilley that the promises that had been made to them had not been kept; at any rate, it seemed to be the general impression, *ib.* 2352-2366. 2369, 2370. 2403-2433. 2507——Farrell was secretary to the society, and would have been dismissed for drunkenness, but he resigned, *ib.* 2497-2499.

The society is both a political and benevolent society; small sums are given and small loans made to poor members, *Benson* 2500-2504——Evidence as to the state of the accounts of the society on and at various periods since the 1st March, *ib.* 2543-2562. 2605-2615——There is no regular audit of the accounts, but they are usually cleared up four times a year, *ib.* 2605-2615——Witness has never been asked to show his accounts to the agents for the petitions; would not have refused had he been asked, *ib.* 2720-2724.

Mr. Vance has repeatedly stated that he would rather lose his election than gain it by these Ross-lane men, *Smith* 3119. 3124-3126. 3138-3146. 3166, 3167; *Gibson* 3420-3424; *Cusack* 3583-3585——Witness believes he was one of the original subscribers to the Ross-lane Society, and has subscribed annually to it since, *Grogan* 3736-3741——Witness has frequently stated that if his election depended on his giving money to the Ross-lane men illegally, he did not wish to gain his election, *Vance* 3794.

See also *Freemen.* *Head Money.* *Illegal Expenditure.* *Lilley, Mr.*

S.

Smith, Robert Bramston. (Analysis of Evidence.)—Resides in Fitzwilliam-street, 2979——Was chairman of Vance and Grogan's committee at the last election, 2980——Has taken the chair at several of their meetings, 2981-2983——Names of several of the committee who took an active part, 2986-2996——The meetings of the committee were held in College-green, and at the rooms in Dame-street, chiefly in Dame-street, 2990——The agent conducted the business chiefly, but as far as a chairman could do anything witness did it; gave many instructions and directions, 2997-2999.

The employment of the subordinate officers was altogether done by the agent, 3000——Witness never attended a meeting at Ross-lane, 3001——Evidence relative to witness's business transactions with a man of the name of Naughten, 3002-3014. 3030-3044——Witness remembers Naughten and Burke coming to him after the election; Naughten came to ask a favour as to getting Burke a canteen, 3015-3035——Witness had heard that Naughten had been treating the freemen at Burke's house, and witness was very indignant with him; reply of Naughten that he had treated them at his own expense, and would do it again, 3015-3031. 3049-3054.

When

Report, 1857—*continued.*

Smith, Robert Bramston. (Analysis of his Evidence.)—*continued.*

When witness advanced this 100 *l.* to Naughten he had no notion that any part of it was to be laid out in treating voters, 3045-3048——It was universally known that Mr. Gibson was the election agent, 3055, 3056——It was generally thought before the dissolution that there would be no contest for Dublin, 3057——The revision of the registration had been carefully watched on the part of the Conservatives, and a very large majority was calculated upon, 3058-3060.

Evidence as to the engaging of the committee-rooms, and the number taken as compared with 1852; 3061-3071——Resolution passed by the committee that no travelling expenses should be allowed, 3072-3074——Messrs. Vance and Grogan frequently gave instructions that no expenses except legal expenses should be incurred; and every precaution possible was taken to carry these instructions out to the letter, 3075-3078——A great number of out-voters did not come up in consequence of their expenses not being paid, 3079-3084.

Mr. Gibson appointed all the clerks, messengers, and tally clerks; persons were appointed to act as paid clerks, they were found more effective than volunteers, 3085——Witness is aware that in 1852 Mr. Grogan, in his own name and that of Mr. Vance, offered to subscribe a sum of 500 *l.* towards the Protestant Orphan School, provided it was met by other subscriptions to the same amount, 3095-3100——To witness's knowledge no member of the Ross-lane committee was authorised, either directly or indirectly, to make any promises of money to any freeman or other person, 3106-3126.

There is no wonder the Ross-lane Society's men were dissatisfied both with this election and the election of 1852, as before 1852 there was always a practice of giving them head money after the election, 3115. 3127-3137——Mr. Vance has repeatedly stated that he would rather lose his election than gain it by these Ross-lane men, 3119. 3124-3126. 3138-3146. 3166, 3167——Mr. Lilley's employment was nothing more than clerk to the committee, 3160-3165. 3168-3174——Witness would certainly say that no money was expended at the election beyond that which appears in the auditor's account, 3176.

Smith, Major. See *Treating.*

Strong, George. Witness has served a Speaker's warrant upon a man of the name of George Strong, *Loughrey* 2206, 2207——Served him in the South Dublin Union Workhouse; he was a pauper there, *ib.* 2208, 2209——At the time of service witness gave him a return ticket and two sovereigns, *ib.* 2210——Has seen him in London, but cannot find him now, *ib.* 2211-2213——Witness never saw George Strong, but has searched after him; has found a pocket handkerchief containing a shirt, which witness believes belongs to him, at a coffee-shop in Cannon-row, *Thompson* 2214-2217.

Subordinate Officers. The employment of the subordinate officers was altogether done by the agent, *Smith* 3000——Mr. Gibson appointed all the clerks, messengers, and tally clerks; persons were appointed to act as paid clerks, they were found more effective than volunteers, *ib.* 3085——All those employed had a card given them, and this was their voucher afterwards to Mr. Cusack for payment, *Gibson* 3378, 3379——When witness employed any one, no inquiry was made whether he belonged to Ross-lane or anywhere else, *ib.* 3400-3411——Evidence relative to the preparation of the lists of the persons to be employed from Ross-lane, *Cusack* 3520, 3521. 3588-3596.

See also *Clerks. Messengers.*

T.

Tally-rooms. The Ross-lane Society's rooms were the tally-rooms of the Conservative candidates, *Farrell* 1594——During the last election the city was divided into wards, and there was a tally-room taken for each ward, *Conway* 2002-2005.

Thompson, Richard. (Analysis of his Evidence.)—Witness never saw George Strong, but has searched after him; has found a pocket handkerchief containing a shirt, which witness believes belongs to him, at a coffee-shop in Cannon-row, 2214-2217.

Tighe, Thomas. (Analysis of his Evidence.) Freeman of Dublin, tailor by trade, 474, 475——Is a member of the Ross-lane Society, 476-478. 481——Knows a person of the name of Lilley, who is president of that society, 479, 480——Has never heard Lilley say anything on the subject of the election, further than that he expected that every man belonging to the society would vote for Vance and Grogan; it has been a general rule of the society to vote for the Conservatives; it is a Protestant society, 482-487——Witness was employed as a sort of messenger on the polling day as well as a good many more of the society; was employed and paid by Mr. Gibson, 488-495.

Travelling Expenses. Resolution passed by Grogan and Vance's committee, that no travelling expenses should be allowed, *Smith* 3072-3074——A great number of out-voters did not come up in consequence of their expenses not being paid, *ib.* 3079-3084————Witness knows that many voters did not come up in consequence of their expenses not being paid, *Cusack* 3517-3519. 3572-3574——Witness believes that no payment whatever was made for travelling expenses, *Grogan* 3706.

Report, 1857—*continued.*

Treating. Evidence as to the sum of 1 *l.* having been paid at Jones's public-house on the occasion of an adjourned meeting of the Ross-lane Society; it was paid under a resolution of the society; it was spent for refreshments for the members of the Cross-lane Society, *Benson* 2660-2688——Explanation relative to a sum of 1 *l.* 2 *s.* 6 *d.* paid to Jones for refreshments to the members on another occasion, *ib.* 2675-2677——Evidence as to and explanation of various small items in the accounts paid for refreshments for witness, Mr. Lilley and others, at various times, and also for stamps, &c., *ib.* 2698-2719. 2725-2751. 2783-2789. 2810-2816. 2821-2827. 2833-2845 ——Evidence showing that entertainments for members of the society have been paid out of their funds other than those connected with the elections, *ib.* 2846-2858.

Witness keeps a grocery and drinking establishment in Bride-street; knows a person of the name of Thomas Naughten; he brought persons to witness's house during the election, *Burke* 2874-2886——Witness has been to Mr. Bramston Smith's house with Mr. Naughten; it was after the election, but witness does not remember the day, *ib.* 2880-2884——Witness lives at 98, Bride-street, Dublin; is at the present time in the oil and spirit trade, *Naughten* 2887, 2888——Knows Major Bramston Smith; has heard he was chairman of the committee of Grogan and Vance; knows Mr. Burke, of Bride-street, *ib.* 2889-2891——Received 100 *l.* from Mr. Bramston Smith the day before the election; way in which witness disposed of this sum, *ib.* 2892-2896——Witness had no communication with Mr. B. Smith during the election, *ib.* 2897——Took Burke to him after the election, at Burke's own request; he wanted to ask Mr. Smith's interest to get him a canteen, *ib.* 2898, 2899——Witness did not pay any of the 100 *l.* to Burke, *ib.* 2900, 2901——Nor did he pay any part of it to a man of the name of Darsey; neither did he treat any of the freemen at Darsey's house, *ib.* 2903-2917.

Witness totally denies that he borrowed the 100 *l.* in order to treat the freemen, *Naughten* 2955——Evidence in detail relative to various business transactions witness has had with Mr. Bramston Smith during the last fifteen or sixteen years; this 100 *l.* was a part of them, *ib.* 2956-2978——Witness resides in Fitzwilliam-street, *Smith* 2979 Witness knows Naughten; remembers his entertaining the freemen at witness's house, *Burke* 3177, 3178.

Witness did not attend Jones's nor any other public-house drinking during the election, *Whithorne* 3323. 3325-3329——Evidence relative to witness's business transactions with a man of the name of Naughten, *Smith* 3002-3114. 3030-3044——Witness remembers Naughten and Burke coming to him after the election; Naughten came to ask a favour as to getting Burke a canteen, *ib.* 3015-3035——Witness had heard that Naughten had been treating the freemen at Burke's house, and witness was very indignant with him; reply of Naughten that he had treated them at his own expense, and would do it again, *ib.* 3015-3031. 3049-3054——When witness advanced this 100 *l.* to Naughten he had no notion that any part of it was to be laid out in treating voters, *ib.* 3045-3048.

See also *Bribery.*

Tudor, Richard. (Analysis of his Evidence.)—Barrister, in Dublin, 2218——Was election auditor in this election, 2219——The accounts are not here, but are on their way from Ireland, 2220-2224.

[Second Examination.]—Acted as election auditor at this election, 2644——Has got all the accounts of Messrs. Vance and Grogan, 2645——Examination upon an account for 26 *l.* 14 *s.* paid to and receipted by Mr. Lilley, 2646-2649——Examination upon an account "Daily Express" newspaper, Grogan and Vance per Ralph Cusack, 2650-2652——The whole of Grogan and Vance's accounts delivered in and taken as read, 2654, 2655——The book is a transcript from the vouchers which were paid; these vouchers delivered in, 2656-2659.

[Third Examination.]—Explanation on the subject of an interlineation on the top of Mr. Lilley's bill; the person who brought it to witness interlined it; witness does not know whether it was Mr. Lilley; it was done without Mr. Cusack's sanction, 2865-2873.

V.

Vance, John (a Member of the House). (Analysis of his Evidence.)—One of the Sitting Members for the city of Dublin; resides in Dublin; witness's family have been long connected with it, 3745-3747——Witness first represented the city in 1852; 3748——A petition was presented against witness's return, but was not proceeded with, 3749-3752——The very large majority anticipated by witness and his colleague was most probably the reason of its being so small, as it made the Conservatives apathetic, 3753-3758.

The change of the day of election and the non-allowance of travelling expenses also materially reduced the anticipated majority, 3754. 3762-3764——Witness gave both Mr. Gibson and Mr. Cusack the strongest directions to spend no money illegally, 3759-3762. 3785-3789——No money was spent except through the hands of these two gentlemen, 3765-3767.

Report, 1857—*continued.*

Vance, John (*a Member of the House*). (Analysis of his Evidence)—*continued.*

Evidence relative to a proposition made after the election of 1852, that witness and his colleague would give 500 *l.* towards the Protestant Orphan School, provided the freemen would raise another 500 *l.* within twelve months, 3768–3782. 3792–3797——This sum was not raised, and the proposition fell to the ground, 3768–3782——There was no idea on witness's part or on that of Mr. Grogan of renewing it, 3768–3782. 3792–3797——Witness will not undertake to repay any sums that may have been spent by the Ross-lane Society illegally, 3790, 3791——Witness has frequently stated that if his election depended on his giving money to the Ross-lane men illegally, he did not wish to gain his election, 3794.

Vance, Mr. Resolution of the Committee that Mr. Vance is duly elected a Burgess to serve in the present Parliament, *Rep. p.* iii.

Vance, Mr., M.P. One of the Sitting Members of the city of Dublin; resides there; witness and his family have long been connected with that city, *Vance* 3745–3747.

Vance, Mr. Witness first represented the city in 1852, *Vance* 3748.

W.

Walker, William. (Analysis of his Evidence.) Freeman of Dublin; a cabinet-maker, living in Lisbon-street, 339–341——A week before the election witness called on Mr. John Judkin Butler, to ask for employment on the day of the election, 342–345——Mr. Butler asked witness if he was a voter, witness said he was a freeman, and Mr. Butler told him to call again, 346–349.

Evidence as to witness, after this, having called on him several times, and as to Mr. Butler on the polling day having employed witness to direct voters to the different polling booths, 346–364. 399–401. After this witness called at the Conservative committee-rooms to be settled with, and Mr. Butler told him to call at his residence on the following afternoon, 365–383. 402, 403——Witness called there and received 13 *s.* 10 *d.* from Mr. Butler's son; witness gave a receipt for the money, 383–388——Witness told young Mr. Butler he was very much disappointed, as he expected a great deal more than that, 388. 391, 392. 396–398——Witness voted for Vance and Grogan; has always voted on the Conservative side; voted in 1852, and received 1 *l.*; 389, 390. 404. 420–426.

Walker, Mr. See *Bribery*, II. 8.

Whithorne, Gervase. (Analysis of his Evidence.)—Resides at No. 17, Grenville-street, Dublin; is an attorney practising occasionally at the police courts, 3249, 3250——Knows a man of the name of Michael Byrne, who attends at the police office as process and notice server, 3251, 3252——Remembers meeting him on the Friday before the election, 3253.

Witness was going to Grogan and Vance's committee-room to get his ticket, and asked Byrne how he was going to vote, and whether he would accompany witness, and he would procure him his ticket, 3254–3259. 3302–3311——Witness saw him again the next day, and asked him how he was going to vote; witness never spoke to him about money, nor made him any promise whatever, 3260–3272——Witness saw him again on the polling day at Grogan and Vance's tally-rooms, and he then told witness he had heard they were giving 10 *l.*, and witness said in jest, "Don't you wish you may get it," 3273–3277. 3312–3317.

Witness then asked one of the gentlemen in the room whether the freemen would be paid their expenses, and the reply was, "Not one farthing;" Byrne must, therefore, have been perfectly aware that he would not receive anything, 3277. 3319–3322. 3324——Witness was not employed in any way at the election, 3278. 3282–3285. 3330, 3331——Witness has seen Byrne since the election, and he has always told witness that he never got anything, 3279–3281. 3318. 3334——On the first occasion of witness's accompanying Byrne to Grogan and Vance's committee-room witness believes there was a register of the voters on the table, and Mr. Keating examined it to see if Byrne was a voter, 3286–3301.

Witness did not attend Jones's, nor any other public-house drinking during the election, 3323. 3325–3329——It is positively untrue that witness ever promised Byrne money either directly or indirectly for his vote, 3332–3334——Detail of the circumstances under which witness believes he was tried and convicted on a criminal charge, 3338–3350. 3354–3361——It is perfectly false that witness has ever been suspended from practising in the Lord Mayor's Court for cheating a woman out of 6 *s.*; 3351–3353.

Witnesses. Way in which witness was brought up to London as a witness, *M'Guinness* 653–668——No one told witness to come over here; he was summoned to attend, *Rogers* 1122.——*See* also *Declarations. Evidence. Expenses of Witnesses.*

Report, 1857—*continued.*

Writ and Return. Witness produces the writ and return for the city of Dublin; dates thereof, *Naylor* 1–3.

Wynne, John. (Analysis of his Evidence.)—Resides at No. 11, Ross-lane, the society's rooms; has a room there free, and his wife looks after the rooms; is a freeman of the city; is a slater and bricklayer by trade; witness, of course, sees something of what is going on at the rooms, 2059–2070——Evidence showing that the attendance of members at the Tuesday evening meetings is very small, except at times approaching an election, 2071–2085.

Witness is a freeman, and has attended some of the meetings, 2086, 2087——Mr. Lilley is the president of the society, and attends very often, but does not attend all the meetings; witness saw him there during the election week, but cannot say what day, 2088–2100——Witness attended the meeting at the Music-hall, but did not get anything for going, either in drink or money, 2101–2123——Witness has not been bribed; the society owes him a debt, 2131–2133——Witness was not paid anything through the auditor for what he did during the election, 2134–2136.

DUBLIN CITY ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

DUBLIN CITY ELECTION PETIT

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
20 *August* 1857.

[*Price* 10*d.*]

293—Sess. 2.

Under

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

FALKIRK BURGHS ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
21 *July* 1857.

Mercurii, 15° *die Julii*, 1857.

NAMES of Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Falkirk District of Burghs.

J. Booker Blakemore, Esq.	James Kershaw, Esq.
Robert Steyning Holford, Esq.	Francis William Russell, Esq.

Chairman, Sir JOHN SOMERSET PAKINGTON, Bart.

Jovis, 16° *die Julii*, 1857.

Ordered, "THAT the said Petition be referred to the Committee."

Ordered, "THAT the Committee do meet To-morrow, in one of the Committee-Rooms of The House, at Twelve of the clock."

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REPORT.

FALKIRK ELECTION COMMITTEE.

Lunæ, 20° *die Julii*, 1857.

The House informed, That the Committee had determined,—

That James Merry, Esq., is not duly elected a Commissioner to serve in this present Parliament for the Falkirk District of Burghs:

That the last Election for the said Burghs is a void Election.

The House further informed, That the Committee had agreed to the following Resolutions:—

That the said James Merry, Esq., was, by his agents, guilty of bribery at the last Election:

That it was proved to the Committee, that Patrick Quigley was bribed with the payment of 10 *l.*:

That it was proved to the Committee, that a bribe of 20 *l.* was offered to Richard Lyon, if he would give his own vote, and secure the votes of two other Electors, named Wilson and Munro, in favour of the said James Merry, Esq.:

That it was proved to the Committee, that a bribe was offered to Thomas Wyse through his Wife; but that it was not proved to the satisfaction of the Committee that these acts of bribery were committed with the knowledge and consent of the said James Merry, Esq.:

That James Merry, Esq., was, by his agents, guilty of treating at the last Election; but that it was not proved to the Committee that such treating was committed with the knowledge and consent of the said James Merry, Esq.:

That it has been proved to the Committee, that the requirements of the Act 17 & 18 Vict. c. 102, intituled, "An Act to consolidate and amend the Laws relating to Bribery, Treating, and undue Influence at Elections of Members of Parliament," were not complied with at the last Election for the said Burghs, inasmuch as no agent or agents for Election expenses were duly appointed by James Merry, Esq., in the manner specified in 31st section of that Act; and that of the total expenses of the Election, returned by Mr. Merry's agents to the auditor, amounting to 2,436 *l.* 15 *s.* 7 *d.*, only 1,611 *l.* 8 *s.* 5 *d.* were paid by the said auditor as required in section 18 of the said Act, and the auditor does not know by whom the balance of 825 *l.* 7 *s.* 2 *d.* was paid.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 17° *die Julii*, 1857.

NAMES called over. Members all present.

Room cleared.

Committee deliberated.

The Committee agreed to the following Resolutions:—

1. "That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. "That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. "That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member, or his agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. "The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognizant.

5. "That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. "That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. "The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. "That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the agents whose names shall be handed in, without the special leave of the Committee.

9. "That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. "That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. "That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent."

Parties called in, and informed of the above resolutions.

The shorthand-writer was sworn by the Chairman.

Petition of *William Forbes* and *James Russell*, jun., two electors of the *Falkirk* District of Burghs, complaining of an undue election and return for the said burgh, read.

Counsel for the petitioners, Mr. *Edwin James*, Q.C., Mr. *Power*, Mr. *Bourke*.

Agents, Mr. *Ritchie*, Messrs. *Baxter*, *Rose*, & *Norton*.

Counsel for the Sitting Member, Mr. *Phinn*, Q.C., Mr. *Rodwell*, Mr. *Hale*.

Agents, Messrs. *Holmes*, *Anton*, & *Turnbull*, Mr. *William Burns*, Mr. *Robert Watt*, Mr. *D. H. Robertson*, and Mr. *James Lockhart*.

Mr. *Phinn* objected to the Petition, as there were certain alterations and interlineations in it, and contended that it was necessary for the petitioners to show that such alterations and interlineations were made before the Petition was signed, before they could proceed with the allegations of the Petition thus altered.

Mr.

Mr. *James* was heard in answer, and contended that the alterations made in this Petition were immaterial, and therefore they ought not to be called upon to offer any proof, as required by Mr. *Phinn*, for errors simply clerical.

The *Committee* decided that the Petition might be proceeded with.

Mr. *James* was heard to open the case on the part of the Petitioners.

J. R. Naylor, from the office of Clerk of the Crown, sworn; examined by Mr. *Bourke*; produced writ and return of last Election.

Charles Baillie, sworn; examined by Mr. *Bourke*; handed in six poll books of last Election; cross-examined by Mr. *Hale*.

Patrick Murdoch, sworn; examined by Mr. *James*; handed in the auditors' accounts; cross-examined by Mr. *Hale*; re-examined by Mr. *James*.

Patrick Cingley, sworn; examined by Mr. *James*; cross-examined by Mr. *Hale*; re-examined by Mr. *James*.

William Kean, sworn; examined by Mr. *James*.

Henry Hillhouse, sworn; examined by Mr. *James*; cross-examined by Mr. *Rodwell*.

Richard Lyon, sworn; examined by Mr. *Bourke*; cross-examined by Mr. *Hale*.

John Whiteford, sworn; examined by Mr. *Power*; cross-examined by Mr. *Hale*.

James M'Mann, sworn; examined by Mr. *Bourke*; cross-examined by Mr. *Hale*; re-examined by Mr. *Power*.

[Adjourned till To-morrow, at Twelve.

Sabbati, 18° *die Julii*, 1857.

NAMES called over; Members all present.

William Bryce, sworn; examined by Mr. *Power*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Power*.

Alexander M'Ewel, sworn; examined by Mr. *Bourke*; cross-examined by Mr. *Rodwell*.

William Ritchie, sworn; examined by Mr. *Power*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Power*.

Robert Gardiner, sworn; examined by Mr. *Bourke*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *James*.

Daniel Livingstone, sworn; examined by Mr. *James*.

On the question being asked, "Did you have any broth?"

Mr. *Rodwell* objected to the question, as the case was one of treating, and no agency had been proved.

Mr. *James* was heard in answer, and contended that this was a case of wholesale bribery by treating.

Mr. *Rodwell* was heard in reply.

The *Committee* decided that the question might be put.

Daniel Livingstone, further examined by Mr. *James*; cross-examined by Mr. *Rodwell*.

Thomas Wyse, sworn; examined by Mr. *James*; cross-examined by Mr. *Phinn*.

Catherine Wyse, sworn; examined by Mr. *James*; cross-examined by Mr. *Phinn*.

George Galbraith, sworn; examined by Mr. *James*.

Upon the question being asked, "What did Provost Adam say to you?"

Mr. *Phinn* objected to the question, as Mr. James was going into matter which took place after the election.

Mr. *James* was heard in answer, and contended that if a statement made subsequently had reference to what took place before the election, it was admissible.

Mr. *Phinn* was heard in reply.

The *Committee* decided that the question might be put.

George Galbraith, further examined by Mr. *James*; cross-examined by Mr. *Phinn*.

[Adjourned till Monday, at Eleven o'clock.

Lunæ, 20° *die Julii*, 1857.

NAMES called over; Members all present.

Room cleared.

Committee deliberated.

Parties called in.

Alexander McLearen, sworn; examined by Mr. *James*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *James*.

John Scott, sworn; examined by Mr. *James*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *James*.

Mr. *James* stated, that he did not propose to call any more witnesses in support of the petition, and would therefore now close his case.

Mr. *Phinn* stated, that he did not propose to call any evidence on behalf of the Sitting Member, but would leave the case as it was for the decision of the Committee.

Room cleared.

Committee deliberated.

Resolved, That James Merry, Esq., was, by his agents, guilty of bribery at the last election.

Resolved, That James Merry, Esq., is not duly elected a Commissioner to serve in this present Parliament for the burghs of Falkirk.

Resolved, That the last election for the said burghs is a void election.

Resolved, That it was proved to the Committee that Patrick Quigley was bribed with he payment of 10 *l.*

That it was proved to the Committee that a bribe of 20 *l.* was offered to Richard Lyon, if he would give his own vote, and secure the votes of two other electors, named Wilson and Munro, in favour of the said James Merry, Esq.

That it was proved to the Committee, that a bribe was offered to Thomas Wyse, through his wife; but that it was not proved to the satisfaction of the Committee that such acts of bribery were committed with the knowledge and consent of the said James Merry, Esq.

Resolved, That James Merry, Esq. was, by his agents, guilty of treating at the last election; but that it was not proved that such treating was committed with the knowledge and consent of the said James Merry, Esq.

Resolved, That it was proved to the Committee, that the requirements of the Act 17 & 18 Vict. c. 102, intituled, "An Act to consolidate and amend the Laws relating to Bribery, Treating, and undue Influence at Elections of Members of Parliament," were not complied with at the last election for the said burghs, inasmuch as no agent or agents for election expenses were duly appointed by James Merry, Esq., in the manner specified in 31st section of that Act; and that of the total expenses of the election returned by Mr. Merry's agents to the auditor, amounting to 2,436 *l.* 15 *s.* 7 *d.*, only 1,611 *l.* 8 *s.* 5 *d.* were paid by the said auditor, as required in section 18 of the said Act, and the auditor does not know by whom the balance of 825 *l.* 7 *s.* 2 *d.* was paid.

Parties called in, and informed thereof.

Ordered, To report the above Resolutions to The House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Veneris, 17° *die Julii*, 1857.

PRESENT:

Sir John Somerset Pakington, Bart.	Mr. J. Kershaw.
Mr. J. B. Blakemore.	Mr. W. F. Russell.
Mr. R. H. Holford.	

Sir J. S. PAKINGTON IN THE CHAIR.

THE Counsel and Parties were called in. 17 July 1857.

The Petition of *William Forbes*, Esq. and *James Russell*, jun., Esq. complaining of the last Return for the Burghs of Falkirk was read.

Mr. *Edwin James*, Mr. *D. Power*, and Mr. *Robert Bourke* appeared as Counsel.

Messrs. *Baxter*, *Rose*, and *Norton* appeared as Agents.

Mr. *Phinn*, Mr. *Rodwell*, and Mr. *W. P. Hale* appeared as Counsel for the Sitting Member.

Messrs. *Holmes*, *Anton*, and *Turnbull* appeared as Agents.

The Committee-room was cleared.

After some time, the Counsel and Parties were called in.

The *Chairman* stated that the Committee had come to the following Resolutions:—

"1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

"2. That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

"3. That the Committee expect that, with respect to cases of bribery, or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member, or his Agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

"4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

"5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

"6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been

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subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

"7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

"8. That no person shall be examined as a witness who shall have been in the room during any part of the proceedings, with the exception of the agents, whose names shall be handed in, without the special leave of the Committee.

"9. That the Committee will only allow one Counsel to address them on the opening the case, and one Counsel on the summing up.

"10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

"11. That if the leading Counsel are not prepared to sum up the case, on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent."

Mr. *Phinn* stated that in the petitions there were several interlineations and erasures, and submitted that it was incumbent upon the petitioners to show that those interlineations and erasures were made previously to the signature of the Petition.

Mr. *Edwin James* proceeded to answer the objection.

After some discussion, the Committee overruled the objection.

Mr. *Edwin James* was heard to open the case in support of the Petition.

Mr. *J. R. Naylor.*

Mr. *James Richard Naylor* sworn; Examined by Mr. *Bourke.*

1. DO you produce the writ?—I produce the writ and return.

[The Witness withdrew.

Mr. *C. Baillie.*

Mr. *Charles Baillie* sworn; Examined by Mr. *Bourke.*

2. I BELIEVE you are the Returning Officer for the burgh of Falkirk?—I am.

3. Do you produce the poll-book?—Yes (*producing the same*).

4. Those are the poll-books for the election at Falkirk?—Yes.

5. Was the nomination-day the 28th of March and the polling-day the 31st of March?—Yes.

6. And the declaration of the poll on the 1st of April?—Yes.

7. The candidates were Mr. Merry and Mr. Baird?—Yes.

8. What was the gross poll?—The result, according to a note which I made at the time, is 770 for Mr. Merry and 491 for Mr. Baird.

Cross-examined by Mr. *Hale.*

9. Where have those poll-books been since you first received them?—In the hands of the sheriff's clerk, Mr. Galbraith.

10. What position do you fill?—Sheriff. I deposited the books myself, and the declaration of the election, in the hands of the sheriff's clerk; and I received that parcel from him just now.

[The Witness withdrew.

Mr. *P. Murdoch.*

Mr. *Patrick Murdoch* sworn; Examined by Mr. *Edwin James.*

11. WERE you appointed by the returning officer auditor for this election?—Yes.

12. You were duly appointed under the Act?—Yes.

13. Will you leave on the table the accounts rendered by Mr. Merry, in compliance with the Act of Parliament, to you as election auditor?—Yes (*producing the same*).

14. You are aware that a candidate has to appoint in writing, under the 31st section, an election agent?—Yes.

15. Did Mr. Merry ever appoint an election agent under that Act?—No.

Cross-

Cross-examined by Mr. *Hale.*

16. You say that you know that Mr. Merry never appointed an election agent?—I never received an appointment.

17. Did you not receive a declaration?—I did.

18. What was that?—It is here.

19. Read it?—It is dated Falkirk, 19th March 1857:—"I, William Burns, writer in Glasgow, being appointed an agent for election expenses by James Merry, Esq., of Glasgow, a candidate at this election, do hereby solemnly and sincerely declare that I have not knowingly made, authorised, or sanctioned, and that I will not knowingly make, authorise, or sanction any payment on account of this election, otherwise than through the election auditor, save as excepted by the Corrupt Practices Prevention Act, 1854. *William Burns.*"

20. Have you got the envelope in which that was sent?—Yes; it is addressed, "Patrick Murdoch, Esq, auditor, Falkirk."

21. Since this petition has been presented has Mr. Burns applied to you for the appointment?—He has.

22. And you had not got it?—I wrote to him that I had never got it.

23. You did receive that declaration from Mr. Burns that he was appointed election agent?—It so states.

Re-examined by Mr. *Edwin James.*

24. The 31st section states that every candidate shall, before or at the nomination, declare to the election auditor, in writing, the name of his agent for election expenses, and that he will not expend any money through any other person; did you ever receive that?—I did not.

25. *Committee.*] When did you receive that declaration?—The morning after it is dated.

26. Mr. *Edwin James.*] Have you, since your accounts were made up, received accounts of Mr. Merry at the election for expenses?—I have three times received accounts.

27. Since you made up your accounts, at the end of the three months, to what amount have you received other claims that do not appear in your auditor's accounts?—I have not made out that.

28. About what amount?—On the 1st of July I got an account for 19*l.* 1*s.* 4*d.*

29. Is it altogether nearly 700*l.*?—The whole of the accounts come to 2436*l.* 15*s.* 7*d.*

30. Since your auditor's accounts are made up, have you received other claims?—I have received an inventory of other claims.

31. To what amount?—£.780. 8*s.* 5*d.*

32. Since all your accounts were made up, at the period of three months, have you received other claims, amounting to 780*l.* 8*s.* 5*d.*, with reference to the election?—Yes.

33. Not paid through you?—No.

34. *Committee.*] What were the original accounts?—£.1,542. 6*s.* 11*d.*, and there was also 1,600*l.*

35. Was there first 1,600*l.*, and then 1,542*l.* 6*s.* 11*d.*?—There was 1,542*l.* 3*s.* 11*d.* remitted to me first.

36. Mr. *Edwin James.*] There was paid through your hands, in the proper manner, in compliance with the Act of Parliament, 1,600*l.*; is that right?—Yes.

37. Do you know who has paid the other?—I suppose Mr. Burns,

38. Has it been paid through your hands?—No.

39. *Committee.*] You have not paid any part of the 780*l.* 8*s.* 5*d.*?—I have not.

40. When did you receive the claim for the 780*l.* 8*s.* 5*d.*?—I received it on the 11th of July 1857.

41. From whom did you receive that demand?—Messrs. Burns & Maclean.

42. Who are they?—The agents for Mr. Merry.

43. They came to you in one demand, and not in the shape of a number of bills from persons to whom the money was due?—No, the accounts were sent discharged, along with an inventory of them.

44. The accounts were sent to you discharged to that amount?—Yes.

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45. In point of fact, receipted accounts were sent to you?—Yes.

46. You mentioned that the first account that you received was 1,542 *l.*; can you tell me what was the second account previously to the 780 *l.*?—£. 19. 1 *s.* 6 *d.*

47. That was on the 1st of July?—Yes.

48. I do not understand how you make out 1,600 *l.*; you say you paid 1,600 *l.*, and there is 1,542 *l.*?—There were two, 10 *l.* and 40 *l.*, which had been paid.

49. Does that include your fees?—No.

50. You stated at first that the amount of the election accounts was 2,436 *l.*; and then you say you produce accounts amounting to 1,600 *l.*, and receipted accounts amounting to 780 *l.*?—The other is 19 *l.* 1 *s.* 6 *d.*

51. Mr. *Edwin James.*] You say the accounts you have there amount to 2,400 *l.*?—Yes.

52. Are you aware, as election auditor, that after your appointment all the payments are to be made through you?—The Act so states.

53. How much of that 2,400 *l.* has been paid through you in the proper mode provided by the Act of Parliament?—£. 1,592. 6 *s.* 11 *d.* and 19 *l.* 1 *s.* 6 *d.*

54. Are you aware, as election auditor, that after your appointment as election auditor, the payments must go through you?—Yes.

55. Of this sum of money, the payments have only gone through you correctly in compliance with the Act of Parliament to the amount of 1,592 *l.* 6 *s.* 11 *d.* and 19 *l.* 1 *s.* 6 *d.*?—Yes.

56. Do you know who has paid the other?—Mr. Burns must have paid it.

57. Do you know?—I do not know.

58. That is all that has gone through your hands?—Yes.

59. Accounts have come in to the amount of 780 *l.* 8 *s.* 5 *d.* since the 1st of July?—Yes.

60. What did you do with them?—I just retained them.

61. Have you sanctioned them?—I do not understand what you mean by sanctioning them.

62. Have you acknowledged them as election auditor; your time expired on the 1st of July, and you have had no further power; have you sanctioned them?—I have just retained them, and no form has been gone through.

63. Are the accounts complete yet?—I believe not.

64. *Committee.*] What makes you believe they are not yet complete?—The last letter I got with the 780 *l.* 8 *s.* 5 *d.*, states that there are a few small accounts yet to be adjusted.

65. Mr. *Edwin James.*] You believe they are not completed?—No.

66. Mr. Baird's accounts are all completed, are they not, long since?—They are.

67. By the Act of Parliament, there is a commission to be paid to you as election auditor?—Yes.

68. Mr. Baird has paid you that commission?—He has paid it, but the accounts are not all settled; some of them are disputed; I have got all the money.

69. Have you had fresh accounts sent in?—None.

70. You say that Mr. Merry's accounts are not yet complete; is that so?—Yes, from the letter I got.

71. Let me see that letter. [The letter was handed to the learned Counsel.] It is a letter from Burns and Maclean to Patrick Murdoch: "Glasgow, 10th July 1857, 41, West George-street, Dear Sir, Falkirk Burgh Election. We send you herewith second inventory of accounts paid by us, with relative receipts, which we trust you will find correct. The two first items, you will recollect, were paid by yourself, and they are included in this inventory, in consequence of the denoting numbers being put on the receipts, on the assumption that they would be paid by ourselves. There are two or three small accounts which are still unsettled, but these will be attended to forthwith, and afterwards sent you." Have those been sent in?—No.

72. Did you publish the necessary notices to the public, in relation to the election expenditure?—I did.

73. You have published the accounts, have you not?—Not yet.

74. You have not published the accounts, because they are not complete?—No.

75. Out of the 2,400 *l.*, you have only paid 1,600 *l.* and 19 *l.* ?—Yes.
76. You do not know how the other has been paid ?—No.
77. *Committee.*] You have not attested the accounts for the 780 *l.* ?—No.

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[The Witness withdrew.

Patrick Quigley, sworn; Examined by Mr. *Edwin James.*

78. WHAT are you ?—I am a merchant.
79. What do you deal in ?—Silks and cloths.
80. You travel about the country ?—Yes.
81. At the last election, were you a voter for the Burgh of Lanark ?—Yes.
82. Shortly before the election, were you in Edinburgh ?—Yes.
83. What were you doing there ?—I was at home at that time.
84. Have you got a house in Edinburgh ?—Yes.
85. What did you vote for at Lanark ?—The house.
86. Were you stopping in Edinburgh at the house of a person named Hillhouse ?—No; I have a house of my own.
87. Do you remember when you were at Edinburgh, a person of the name of Kean coming after you with a letter ?—No, I was from home.
88. What time did you get home ?—On Saturday the 28th of March.
89. When you got home, did any person give you this letter [*handing in a Letter to the Witness*] ?—I cannot say that, but I got a copy of it; I do not know whether I got the original or not.
90. You got a copy of that letter ?—Yes; but I thought I got the original.
91. Who gave it to you ?—Mr. Hillhouse.
92. Mr. Hillhouse gave you a copy of that letter ?—Yes.
93. Just read it, and tell the Committee whether what you got was an accurate copy of it ?—I am not a very good reader.
94. Should you understand it if I read it ?—Yes.

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Mr. *Edwin James* read the letter.

95. Did you get a letter of which that is a copy ?—Yes.
96. Who gave you the letter ?—Mr. Hillhouse.
97. Will you explain how it was that Hillhouse gave you the letter ?—Mr. Kean lives in Edinburgh, and Mr. Kean always reads my letters to my wife, for she is no scholar, Mr. Hillhouse read a copy for me, and he told me that it was a letter from Mr. Browne, of Lanark.
98. Having received that letter, you say it was brought by Kean and left with Hillhouse for you ?—Yes.
99. And Hillhouse gave you a copy of it ?—Yes.
100. Having received from Hillhouse a copy of that letter, what did you do ?—I went to Lanark.
101. I think you say you got that letter on Saturday ?—Yes, Saturday the 28th of March.
102. About what time on Saturday ?—In the evening.
103. What time did you go to Lanark ?—On Monday.
104. I believe it is only 30 miles from Edinburgh by train to Lanark ?—Thirty-two miles.
105. Do you know William Browne, who wrote that letter ?—Perfectly well.
106. What is William Browne at Lanark ?—He is a grocer and spirit dealer.
107. Have you had dealings with him ?—Never. I had a house from him when I lived in Lanark.
108. You know him well ?—Yes.
109. What time did you get to Lanark on Monday ?—I left Edinburgh at half-past 10, and I think I was there about 12.
110. When you got to Lanark, did you see William Browne who had written that letter ?—Yes; he was standing at the door, and he called me over.
111. Was he standing at the door of his shop ?—Yes.
112. Tell the Committee what he said to you.—He called me into the back place; and himself and Mr. Harvey (another of the committee) were there, and he asked me what I would take, and I said 10 *l.*
113. Take for what ?—He asked me what I would take for voting or expenses, I do not know which.

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114. What did you say?—I said 10 *l.*

115. *Committee.*] Who spoke to you?—Browne.

116. Mr. *Edwin James.*] Did he say anything to you about voting for Mr. Merry?—It was understood that it was for him I was to vote.

117. By the letter?—Yes.

118. He asked you what you would take?—Yes.

119. What did you say?—I said 10 *l.*

120. For your vote?—Yes.

121. Did you say that?—No.

122. What for then?—For my expenses.

123. What expenses?—Coming there, I suppose.

124. What was your fare from Edinburgh?—Two shillings and seven-pence.

125. When you said 10 *l.* what did Browne say?—He shook hands with me, and said he would give me 10*l.*

126. What did you say then?—I said that he would have to deposit it in some person's hands whom I would elect before I would go.

127. What did you mean by before you would go?—Before I would go to the voting.

128. *Committee.*] You said this at once?—Yes.

129. Had Browne said anything to you previously?—He told me he would leave it in any person's hands.

130. Mr. *Edwin James.*] Did you then suggest the name of any person in whose hands it was to be left?—Yes.

131. Whose hands;—Mr. Wood's.

132. What is his christian name?—Robert.

133. What is he?—He is a bookseller and stationer.

134. In Lanark?—Yes.

135. You fixed upon him as the party with whom the 10 *l.* was to be deposited?—Yes.

136. When you said this to Browne, what did he say?—He did not say anything more until I met him in the afternoon; I saw him standing in the street on the opposite side, and he called me over.

137. Again?—Yes.

138. Did you go?—I did.

139. What passed?—He brought me in to Mr. Wood, and pulled out his pocket-book, and said, "There, Mr. Wood, is 10 *l.*, give it to Quigley to-morrow after he has voted."

140. Were you satisfied with that?—Yes.

141. How did you vote?—I voted for Mr. Merry.

142. What time did you vote on the Tuesday?—It was a little after eight o'clock; he was hurrying me down.

143. Who hurried you down?—Mr. Browne.

144. To the poll?—Yes.

145. What time did Browne come to you on the Tuesday morning?—a little before eight o'clock.

146. Did he come to your house?—No; I was just standing in the street.

147. Did he go with you to the poll?—He did.

148. The same Browne?—The same Browne.

149. And you voted for Mr. Merry?—Yes.

150. After you voted, did you go to Wood for your money?—I did not at that time.

151. After you had voted, did you go to Wood for your money?—Yes.

152. How soon after did you go to Wood for the 10 *l.*?—About 11 o'clock; it was drawing near to the train; it was between 11 and 12; the train was going back to Edinburgh.

153. You were going back to Edinburgh?—Yes.

154. Did you get your 10 *l.*?—I did.

155. Did you see Browne after you had got your 10 *l.* from Wood?—I did, in the shop; he came in along with me.

156. He went in to Wood with you?—Yes, and asked Wood whether he gave me the money; and he said he did.

157. You had got it at that time?—Yes.

158. Did you change it?—I asked Mr. Browne for change; and I said I did not like to change it in Lanark.

159. *Committee.*]

159. *Committee.*] How did you receive the 10*l.*?—In a 10*l.* note.

160. A single note?—Yes.

161. Mr. *Edwin James.*] A Scotch note or a Bank of England note?—I think it was a Scotch note; I never looked at it.

162. You saw Browne give to Wood, the day before, a 10*l.* note?—Yes.

163. Did you receive a 10*l.* note from Wood in Browne's presence?—Not in Browne's presence.

164. Before?—Yes.

165. Then you went to Browne?—He came along with me; he met me in the street.

166. Did you change that 10*l.* note?—I asked him for change.

167. Asked whom?—Mr. Browne. I said, "I want change; I have not got change; I do not like to change in the town." He said, "Come into the back place;" and he gave me small notes for it.

168. Into his back place?—Into Wood's back place.

169. He gave you small notes for the 10*l.* note?—Yes.

170. What notes did he give you?—I do not know; I never looked at them.

171. Were they 1*l.* notes?—All 1*l.* notes.

172. They are current in Scotland?—Yes.

173. What did you do with that money?—When I went home, I counted them down to the wife; I took them all home, except about 7*s.* 7*d.*

174. Seven shillings and seven-pence you spent on your journey to Edinburgh?—Yes.

175. What did you do with the money, less the 7*s.* 7*d.*?—I sent 7*l.* to Manchester for goods.

176. Is that a firm with which you dealt?—There was an acquaintance of mine who travelled along with me, and he got an order and sent it off in his own name, because I never dealt there.

177. You sent the money?—I gave him the money; he went to the bank with it, and I had the invoice.

178. I believe you never had a vote before?—No; I had the year before that.

179. You never voted before?—No, not for a Member of Parliament; I did for the county.

180. When you got to Lanark did Brown give you any directions to go to the "Commercial Inn?"—He told me I could go to the "Commercial Inn."

181. Was this on your arrival from Edinburgh?—Yes.

182. Did you go to the "Commercial Inn?"—I told him I had got my breakfast; but I went in there, and I ordered a cup of tea and two eggs.

183. Did you pay for it?—No.

184. What did you have besides?—Nothing else.

185. What time of day was that?—I think about one or two o'clock.

186. Was that on the Monday, when you arrived?—Yes.

187. *Committee.*] It was by the desire of Browne that you went?—Yes; and Mr. Cooke, the man who owns the "Commercial Inn."

188. Mr. *Edwin James.*] What did you have on that day?—Only that.

189. A cup of tea and two eggs?—Yes.

190. Did you pay for it?—No.

191. What did you say to the landlord about paying?—I said nothing when I was ordered to go there.

192. Did you go again to the "Commercial Inn," before you left to go back to Edinburgh after voting?—A friend of mine asked me to stop with him that night; he had a spare bed; it was a man I have dealt with 12 or 13 years; he told me to go down and tell them that he had a spare bed, and I went down to Mrs. Cooke, and told her that perhaps I could get a spare bed, and she said "Very well, I am glad of it."

193. Did you go there the next day after you voted on the Tuesday?—No.

194. Did you see many voters when you were there on the Monday?—No; I had a good many friends there, and I went to see them. I had no conversation with voters.

Cross-examined by Mr. *Hale.*

195. You say you are a merchant?—Yes.

196. You are what we call in England a pedlar for goods?—Yes.

 197. When

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197. When do you say you were first sent for to go to Lanark?—I was in Dunfermline, and there came a man to me; Provost Gray sent him, and gave him a pound to go for me.

198. Dunfermline is some considerable distance?—Not very far from Edinburgh.

199. You were there on business?—Yes.

200. When you got the pound you went back to Edinburgh?—I did not; I came back on Saturday, when it answered me.

201. Did you leave anybody in charge of your business at Dunfermline?—No, I brought my goods home with me.

202. *Committee.*] What day was it you were at Dunfermline?—On Wednesday.

203. On the Wednesday before the Saturday?—Yes.

204. Mr. *Hale.*] Do you mean to tell me that you did not leave anybody in charge of your business in Dunfermline?—There was no occasion.

205. Did you not?—No.

206. Did you not leave a man in charge of your business there?—No.

207. Upon your oath?—Upon my oath I did not; I had no occasion.

208. When you spoke to Mr. Browne, did you not allege as a reason for asking 10 *l.*, that you were obliged to come from Fife, and that you had left a man and a boy in charge of your business there?—Nothing of the kind.

209. That you swear?—That I swear by virtue of my oath; I brought the goods home with me.

210. Do you mean to swear you did not say so?—I never did. I am on my oath; and I do not tell a lie here.

211. You did not say that 10 *l.* was a great deal too little, and would not cover your expenses?—Perhaps I did; I think I did too; I think I told Mr. Browne that.

212. Then you took that 10 *l.* as expenses for your travelling, and the interruption of your business, and not as a bribe for your vote?—I do not know what it was for.

213. You told Mr. Browne that?—I told him that I thought he ought to give me some more; and he took my address down, and said he would write me a letter, if there was anything left. That is all I have to say in that case.

214. You thought it was too little?—Yes, I did.

215. You have been in town some time?—What town?

216. London?—Yes.

217. Where have you been living?—At different places.

218. And with whom have you been living?—I cannot say; I have been in different places. I am stopping at present with one Mrs. Hilleard.

219. In Harleyford-road?—Yes.

220. How long have you been in town?—Going on five weeks.

221. Is your wife with you?—Yes.

222. Is Mr. Hillhouse with you?—Yes.

223. The whole lot of you?—Three of us.

Re-examined by Mr. *Edwin James.*

224. I hope you have been very happy and comfortable?—Very happy.

225. And out of the way of influence?—No person has influenced me.

226. You have been very comfortable?—Very comfortable.

[The Witness withdrew.

William Kean sworn; Examined by Mr. *Edwin James.*

W. Kean.

227. ARE you a broker in Lanark?—Yes.

228. Do you know a man of the name of Currie, the messenger-at-arms?—Yes.

229. Is he the sheriff's bailiff?—Yes.

230. Did he take you to the Commercial Inn?—Yes.

231. Did you go upstairs with him?—Yes.

232. To the committee-room?—Yes.

233. Do you know William Browne, the grocer?—Yes.

234. Did

234. Did you see him there?—I did.
235. Do you know Robert Harvey?—Yes.
236. Did you see him?—Yes.
237. Do you know David Simpson?—Yes.
238. Did you see him there?—Yes.
239. Was anything said there about your going after a man of the name of Quigley?—Yes.
240. What was said to you by Mr. Browne about going after Quigley?—He asked me whether I would go to Edinburgh for Quigley, and I said I would not go if I did not get a letter with me, as they and I were not on good terms when they left Lanark.
241. What did you say?—I said to Mr. Browne I would not go until I got a letter.
242. What did Mr. Browne say to that?—He said he would give me one.
243. Take that letter into your hand and look at it, and at the envelope?—I do not know it at all.
244. Can you read?—Yes, a little.
245. Look at the envelope?—I could not swear to it.
246–7. Was it a letter like that?—Yes.

Mr. *Edwin James* stated that he would now prove Browne's handwriting.

Mr. *Rodwell* admitted the handwriting.

The letter was read, as follows:—" Lanark, 26th March.—Dear sir, Mr. Kean, the bearer of this, is employed by me to find you out, and request, as a favour, you would come here with him, and vote for Mr. Merry, and I'll willingly pay you for your trouble handsomely, and all other expenses. Attention to this will oblige *Wm. Browne*."

248. Mr. *Edwin James.*] What did Browne tell you to do with that letter?—He told me to give it to Patrick Quigley.
249. Was any bargain made about what you were to be paid?—No.
250. None at all?—None.
251. Did you go with the letter to Edinburgh?—Yes.
252. By the train?—Yes.
253. This was on the Thursday?—I think it was.
254. Where did you go with the letter when you got to Edinburgh?—I went to the address-place that Quigley's letters were to be sent to. The mistress of the house was not at home, and the boys did not know where Quigley lived. The next address I had was to go to Henry Hillhouse, an acquaintance of mine.
255. Did you leave the letter with Henry Hillhouse?—Yes.
256. Did you go back?—No; I came home the next morning.
257. Did you see Provost Gray before you left with the letter?—Yes.
258. What did Provost Gray say?—He told me I need not go to Edinburgh for Quigley; for he had employed a man to find him.
259. Was that a man by the name of M'Kenna?—I do not know who it was.
260. You went to Edinburgh?—Yes.
261. When you came back, did you see Browne?—Yes.
262. Where did you find Browne when you got to Lanark?—In his own shop.
263. What did you tell him?—I told him I had left the letter with an acquaintance to give to Quigley, as he was not at home.
264. What did Browne say to you?—He said nothing at all.
265. Who paid you for this?—Mr. Browne paid me.
266. How much?—He gave me 1*l.* 10*s.*
267. *Committee.*] For going to Edinburgh?—Yes; expenses.
268. Mr. *Edwin James.*] Are you a voter or not?—No; I never was a voter.

[The Witness withdrew.

H. Hillhouse.

27 July 1857.

Henry Hillhouse, sworn; Examined by Mr. *Edwin James.*

269. Do you live at No. 22, Blair-street, Edinburgh?—Yes.

270. Do you know Quigley?—Yes.

271. On Thursday, before the election, did a man of the name of Kean come to you with a letter?—Yes.

272 Was the letter given to you?—Yes.

273. Did you see Quigley?—I carried it to Mrs. Quigley.

274. Where was Quigley living?—In Arthur-street, in Edinburgh.

275. Did you give it to Mrs. Quigley?—Yes.

276. Did you see Quigley after you had given the letter to Mrs. Quigley?—Not that day.

277. Did you see him before he went to Lanark?—Yes.

278. When?—Saturday evening.

279. Did you say anything to him about the letter?—I gave him a copy of the letter on Saturday.

280. You kept the original? Yes.

281. You made a copy of it?—Yes.

282. Is that the original letter you copied?—Yes.

283. When Kean brought you that letter did he say anything to you about burning it?—He said, "Take it to Mrs. Quigley, and give it to her." I did so; and she opened it, and handed it back to me to read; I read it; and she gave it to me then. Kean said before I went, "Take care and burn that letter, and take care it does not fall into anybody's hands, or it will make a bad job."

284. Did you, in consequence of that, copy it?—Yes.

285. Did you keep the original and give the copy?—Yes.

286. Did you know that Quigley was a voter for Lanark?—Yes.

287. You thought there was something in it?—Yes.

288. You copied the letter and kept the original?—Yes.

289. Kean gave you the letter and, as I understand, you gave it to Mrs. Quigley?—Yes.

290. And you got it back?—Yes.

291. And then copied it?—Yes.

292. You kept the original, and gave Quigley the copy?—Yes.

293. You thought, I suppose, that it was private and confidential, and you would copy it?—Mrs. Quigley gave it to me.

294. I believe you got 2 *l.* for the original?—No.

295. Did you get anything for it?—Yes.

296. How much?—Thirty shillings. Mr. Wilson got it from me.

297. Here is your letter offering it. (*Handing a paper to the Witness.*) Did you write that letter?—That is my hand-writing.

298. This letter you wrote, and addressed to the Chairman of Mr. Baird's Election Committee?—Yes.

299. You kept the original; you thought there was something up about it; and then afterwards you addressed this letter to the Chairman of Mr. Baird's Election Committee?—Yes.

300. And Mr. Wilson gave you 30 *s.* for the original?—Mr. Wilson came to see Quigley, and asked me to give it him; I did not give it him at first; I gave it to him afterwards; I gave it to him at the railway station.

301. And then you got 30 *s.*?—Yes.

Cross-examined by Mr. *Rodwell.*

302. Is that what you first asked?—No.

303. What did you first ask?—He asked what I would take for the letter; I said 2 *l.*; and he said, "I will give you 30 *s.*"

304. You did it to get the money into your own pocket, I suppose.—I did it to assist to put down that way of getting votes, because I am for the ballot.

305. You did it on principle?—That far.

306. Which did you do on principle; take the 30 *s.* or the copy of the letter?—Both.

307. How do you think the 30 *s.* helps the ballot question?—I had no idea of taking money for it until he asked me what I would take for the letter.

308. And then you said 2 *l.*?—Yes.

309. You

309. You thought it was worth 10*s.* more?—That was before I got the money. I had no notion of asking money for the letter.

310. When you first copied the letter did you not intend to make money of it?—No.

311. You did not?—I did not.

312. That you swear?—Yes.

313. Why did you write to the Chairman of the Election Committee on the other side?—To expose the matter.

314. Did you never say to anybody that you expected to be well paid?—I do not know whether I did. I do not mind saying that.

315. You did say so?—I do not say I did.

316. Will you say you did not?—I will not; I may have said many things in conversation.

317. Did you not say you would make a good job of it?—No.

318. Or words to that effect?—I do not recollect.

319. Did you not say you had a letter in your possession, and you would make some money of it?—I do not recollect.

320. Will you swear you did not?—I will not swear I did not; and I will not swear I did.

321. Who did you speak of it to first?—I do not recollect.

322. Tell the Committee?—My wife was there.

323. Somebody else?—I do not recollect anybody else.

324. Before you wrote that letter to the Chairman of Mr. Baird's Committee, had you not spoken to a friend of yours about it, and what it was worth?—I do not recollect.

325. Will you state you did not?—I cannot say, for I do not mind.

326. Have you ever copied letters before that you were asked to take care of, and that you knew were private and confidential?—No.

327. Did not this make an impression on your mind?—It did make an impression on my mind, but not that conversation.

328. I ask you again, did you not state to more than one person that you had got a letter, and that you should make a good thing of it, or words to that effect?—I do not recollect.

329. Will you swear you did not?—No, for I cannot mind it; it is three or four months since.

330. How soon after you got the letter did you send it to the chairman of Mr. Baird's election committee?—I got it on Thursday, and I sent it about 11 o'clock on Friday evening.

331. How long have you been in London?—Nearly two months, I think.

332. What have you been doing in London two months?—Walking about.

333. Working at all?—No.

334. Have you been living pretty well?—No better than at home.

335. You have been doing nothing for two months?—Nothing.

336. Where have you been living?—I am living now at Harleyford-road Vauxhall.

337. With Quigley?—Yes.

338. Have Quigley and you had much conversation about this letter?—No, Quigley never saw the letter.

339. Have you had any conversation with him about it?—No.

340. Not a word?—There might be a word.

341. Come?—Well.

342. Upon your oath, have you not had conversation with Quigley about that letter more than once?—I do not recollect doing it.

343. Will you swear you have not?—I do not think I have spoken a word about the letter.

344. About that letter to Quigley?—Not that I recollect.

345. You state that positively?—I was not paying attention to these things.

346. This letter is a very striking fact; will you state that you have not talked of that letter to Quigley several times since you have been in London?—I do not think I did.

347. You will not say more than that?—No.

348. Did you tell Quigley you had 30*s.* for it?—No.

349. Did he never ask you?—No.

 350. Did

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350. Did you ever tell anybody you had 30 *s.* for it, except your wife?—No that I recollect.

351. You say you have been in town two months?—I think it is about tha time.

352. Have you been examined and asked about this matter a good man times?—No.

353. You are not living at your own expense, I suppose?—Well, I think it i

354. At your own expense?—A gentleman comes and gives me money t live on.

355. I call that not at your own expense?—Very well.

356. You are living at your own expense?—A gentleman comes and gives u money to live on.

357. You and your wife?—No.

358. You yourself?—Yes.

359. Whatever you have spent since you have been in London these tw months has been repaid you by somebody?—I do not understand you.

360. Have you been paid the expense you have been put to since you hav been in London?—No.

361. Do you pay money out of your own pocket?—I say a gentleman come and gives me money to live on.

362. How much have you had?—I do not know exactly; I kept no accoun

363. Have you had what money you wanted?—What was necessary to liv upon.

364. You cannot tell me how much you have had at present?—No.

365. You kept no account?—I kept no account.

366. *Committee.*] How often are you paid this money?—A gentleman cam and asked me if I was out of money, and gave me something.

367. Mr. *Rodwell.*] Can you tell me how much you have had?—I cannot.

368. Have you had 10 *l.*?—I cannot say.

369. Have you had 20 *l.*?—I cannot say.

370. £. 25?—No.

371. Is it between 20 *l.* and 25 *l.*?—I will not state what I have had.

372. Will you swear you have not had 20 *l.*?—I have not had 20 *l.* on m own account.

373. Will you tell me how much you have had?—I cannot recollect.

374. Will you say it is less than 20 *l.*?—Yes, I have had less than 20 *l.*

375. Do you expect any more?—I do not know; I cannot say.

376. Have you had a promise of any more?—No.

377. Has anything been told you about having more?—No.

378. Not a word?—Not a word.

379. You got 30 *s.* for the letter?—Yes.

380. Did you not ask, before you came to London, who was to pay you expenses?—No.

381. You came at once?—They told me I should have to go if I did no come.

382. You think that something under 20 *l.* is what you have received?— I dare say.

383. What do you earn in a week in Scotland?—I have a shop.

384. What do you earn in a week in your shop?—I cannot say.

385. As much as you get in London?—A little more.

386. Ten pounds a month?—More than 10 *l.* a month.

Examined by the *Committee.*

387. What day was the letter sent by you to the chairman of Mr. Baird' Election Committee?—About Friday evening, at 11 o'clock; I think it was th 27th of March.

388. Was it on Friday before the election?—On Friday before the election.

389. Are you a voter?—I am a voter at Edinburgh.

[The Witness withdrew.

Richard Lyon, sworn; Examined by Mr. *Bourke*.

390. WHERE do you live?—At Lanark.

391. Are you a voter?—Yes.

392. Some time before the last election, did you go to the shop of William Browne?—Yes.

393. What did you go there for?—To order a bole of beans and a bole of corn.

394. *Committee.*] On what day?—I cannot say the day of the month.

395. About when was this?—I think it was in the month of March. It was the 19th of March, according to the account they sent me.

396. Somewhere thereabout?—Yes.

397. A little before the election?—Yes.

398. Mr. *Bourke.*] Look at that bill [*handing a paper to the Witness*]. Is that the bill Mr. Browne gave you?—That is the bill Mr. Browne gave me.

The same was put in, and was as follows:]

Mr. R. Lyon, 85, High-street, Lanark.

Bought of William Browne, Grocer, Tea Dealer, Wine and Brandy Merchant.

Corn, Beans, and Cheese, Wholesale and Retail.
Meal, Barley, Flour and Field Seeds of all kinds.

	£.	*s.*	*d.*
March 19, 1857:—1 bole beans - - - - - -	1	3	–
„ „ „ 1 bole corn - - - - - - -	–	17	6
„ „ „ 8 bags not returned - - - - -	–	16	–
	2	16	6

Dear Sir,
I will thank you to let me know what I owe you for carting, that I may have it settled up at once,

and oblige
W. Browne.

399. Who was in Mr. Browne's shop when you went there?—Thomas Prosser and Thomas Castles.

400. Castles is a druggist, I believe?—Yes.

401. Did Prosser, when you were going away, say anything to you?—He caught me by the arm.

402. What did he tell you?—He says, "You are not going away, Ritchie." I said, I was rather in a hurry. Says he, "Just stop a bit." He says, "I was proud to see in the list that you were the only carter in Lanark that had a vote."

403. What did you say?—I said there were other carters in Lanark that had a vote besides me. He said, "No;" I said, "Yes, Froud has one."

404. What did he say then?—Thomas Castles said, "No;" I just replied again, "If he has not, perhaps the wife has one."

405. What did he say?—William Browne said, "Come here, Ritchie, none of your nonsense; ain't you going our way."

406. What did you say?—I said, I did not know much about that. He said, he supposed Dan would have me link it again.

407. *Committee.*] What is the meaning of that?—Making me fast.

408. Who is Dan?—A blacksmith of the name of Daniel Walker.

409. Mr. *Bourke.*] Who is Daniel Walker?—He is a blacksmith; I said, No, I was neither linked nor chained to him or to Dan. He said, Would I be honest, and vote along with him; I said, I did not know much about that. "Well," he says, "come be candid," or something to that effect, "and go down to Walter Starks and call for two or three gills of whisky."

410. *Committee.*] Who is Walter Stark?—He is a publican and farmer.

411. Mr. *Bourke.*] Did he say anything about your horses?—Yes; he said next, "I will see them paid; I know, Ritchie, you can towy Walter, for he sometimes takes your advice about a horse."

412. What does that mean?—To get his vote.

413. *Committee.*] Who is Walter?—Walter Stark.

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414. Mr. *Bourke.*] Did he say anything about horses?—He said he knew Walter took my advice always about a horse, and he was sure I could do it. I was going away; he called me back; says he, "You must be sure and not tell Dan that I have said anything to you at all about it.

415. *Committee.*] Who is Dan?—Daniel Walker, the blacksmith.

416. Mr. *Bourke.*] Then you went away?—No. He said, although they were a little thin at present they had been thick, and would be as thick again.

417. *Committee.*] Browne said that?—Yes.

418. Mr. *Bourke.*] Then you went away?—No, I was just going away, and he said if I could go and sort Monro, and Patrick, and two or three more, that I should be better paid and get more than I could make with my horses.

419. Did you go away then?—Yes.

420. Did he tell you to go anywhere?—He told me to go to Walter Stark, but I did not go.

421. Where did you go?—I went towards my home; I just thought I would not go home: I went up to the blacksmith's shop. f

422. Do you recollect the Saturday in the week be ore the election?—Yes.

423. Did you go to the Commercial Hotel on that day?—Yes.

424. What did you go there for?—To meet a man about an account; and I said we had better go in and have a little drop.

425. You went there about some business?—Yes.

426. Did you see eating and drinking going on there?—Yes, after I was in a bit.

427. Did you have anything?—Yes.

428. How much had you?—A good deal; I got as much as made me pretty drunk.

429. Five or six gills?—More than that; it takes a little more than that to make me drunk.

430. Ten gills?—I should think so, if not more.

431. It takes a great deal to make you drunk?—I can do 10.

432. Had you dinner?—Yes, I had cold meat and bread, which I consider a very good dinner.

433. Was anybody with you?—James Forest, another carter.

434. Did you pay anything for your whisky or your dinner?—Nothing; I think the first gill when we went in was paid for.

435. Were you told anything about getting it?—Nobody told me, but I saw another party getting what they wanted, and I did not see anything paid, and I thought I might get it.

436. Was anybody else there?—Another was sitting on the opposite side.

437. Who was he?—Grinshall.

438. Is he a voter?—Yes.

439. Who else?—Symington.

440. Walker?—Yes.

441. Watson?—Watson was not there at that time.

442. *Committee.*] Is Walker a voter?—No.

443. Mr. *Bourke.*] Watson came in afterwards?—Watson came in afterwards.

444. Then you all had dinner?—No, Watson had no dinner, only Forest and me had dinner; Grinshall and the others were sitting at dinner on the opposite side eating meat and bread.

445. Forest and you had dinner together?—Yes.

446. And Grinshall had dinner too?—They were sitting on the opposite side.

447. With whom was Grinshall sitting?—Walker, a wood merchant; and Symington, a sawyer.

448. Did you pay anything for your dinner?—No.

449. Were you asked for anything?—No; I was asked for nothing.

450. While the canvas was going on, did you see Browne going into Mr. Merry's committee-rooms?—Yes.

451. Often?—Several times.

452. Do you recollect somebody speaking to you about 10 o'clock at night?—Yes; William Browne, himself.

453. *Committee.*] What day was that?—I could not say; but it was after the first meeting he and I had, and the second too.

454. Very near the election?—Before the election.

455. Mr.

455. Mr. *Bourke.*] A few days before the election?—It may be two or three.

456. What o'clock was it?—About 10 o'clock, as near as possible.

457. At night?—Yes.

458. Was it dark?—A sort of grey darkness.

459. Where were you?—I was coming out of my own house, and going past as he went in at the door; he made a turn, and made a sign for me to stop.

460. What did he say to you?—He gave a "hoist," and then he cried, "Ritchie."

461. Did you go to him?—I went two or three steps, and then I made a stop.

462. Did he speak to you?—I spoke to him.

463. What did you say?—I told him to go to hell; I wanted nothing to do with him.

464. What did he say to that?—He never spoke; he stood at the door.

465. *Committee.*] Nothing more passed?—Nothing more passed between him and me.

466. Mr. *Bourke.*] Did Browne say anything more to you?—Yes; going up the street.

467. *Committee.*] When was this?—Before I met him in the close.

468. Mr. *Bourke.*] What did he say to you?—He called me from the other side of the street, or sent a little boy. He called me into the shop, and said he did not think I was the man I was; I said, "What for?" He said, "After promising that you would vote for us and going canvassing on the other side." That I denied, and said I did not. Says he, "I think there might be a way of getting you to do it for us." I said, I did not know about that. He said, "Come, if you keep Wilson and Munro all right, I will give you 20 *l.*" I said, "Let me have hold of it, and there is no saying what I might do." He says, "Now, Ritchie, you can lippen to me." I said I should not.

469. *Committee.*] What did you say first?—I said, if he gave me 20 *l.*, there is no saying what I might do.

470. Who were the men you were to keep?—Wilson and Munro.

471. Mr. *Bourke.*] He said you might look to him for it?—He said I could lippen to him for it.

472. Did he say anything about voting?—Yes; to keep them right for the vote, and vote myself along with them.

473. For whom?—Mr. Merry.

474. Did he say anything about your voting before you were paid?—I was to vote first.

475. He told you so?—Yes.

476. What did he tell you?—He told me I must do it first, and I could lippen to him for the getting of it. Of course, I said I would not lippen to him or anybody.

477. And you did not?—I did not.

478. Have you anything more to say?—I have more to say; he says, "No, you will not get leave to vote."

479. *Committee.*] You mean at the same conversation?—Yes.

480. After he told you that you must do it first and look to him, he said you could not get leave to vote?—He said I could not get leave to vote, and that they would not allow me to vote.

481. What did he mean by that?—I do not know; I wanted to know that, but he said he would let me see. Directly after that, when I told him I defied him or anybody else to keep me from voting, he told me again, "Now Ritchie, bear in mind the position I stand in; if you do it I will do good for you, and if you do not, I will do ill for you.

482. Mr. *Bourke.*] He said you could not get leave to vote?—Yes.

483. That is the reason he wanted you to vote before you were paid?—Yes; he said he stood in a position that he could do me a great deal of good, and if I did not do it, he would do me all the injury he could. I said, "Do you think for a moment that I will sell a man of 35 years standing for a man like you?" or some words like that.

Cross-examined by Mr. *Rodwell.*

484. After all, you did not do it?—I did not.

485. You voted for Mr. Baird?—I did.

 486. How

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486. How long have you been a resident in Lanark?—I was born and brought up in Lanark.

487. You have lived there all your life?—Not all my life.

488. A great portion of it?—The biggest part of it.

489. How much of that time has been in jail?—I should think about three months.

490. At a time?—Yes.

491. How many times?—Twice, I think.

492. What was it for?—For getting drunk and fighting.

493. Are you not notoriously a leader of the mob in that town at any time of excitement, and do not you make your bread by the excitement at election times?—Oh, no; I live by my hard work.

494. Entirely by hard work?—Entirely by hard work and dealing in horses.

495. Then you make something out of an election, I suppose, by horses?—I never made a penny by an election, either by horses or anything else.

496. Do you cease to live by horses at election times?—I live by working with my horses and dealing in them.

497. You live by hard work, except when you are in jail?—It is many years since I was in jail.

498. How long?—Eighteen or 20 years ago.

499. Have you not been in jail during the last 18 years?—It is 15 any way; not since 1844; that is what I am sure of.

500. Did you take any part in this election?—No part whatever.

501. None?—None; I gave my vote for Mr. Baird.

502. You had these conversations with Mr. Brown apparently?—Yes.

503. You were ready to offer your services?—No; I never offered my services to him or any one else.

504. You did not tell Mr. Browne that you would not agree to his proposition?—I did.

505. Just now you said you did not?—I said I would not agree to it; and he said, "I was lippen to him for it;" and I said, "I would not do it unless he put it in my hand."

506. If he did put it in your hand it would be all right?—No; I said I did not know what I might do if it was put into my hand.

507. You left it in a state of uncertainty?—Yes; I left myself in this position; that if he gave me the money there was no saying what I would do.

508. If he did not, you said the bargain was off?—I did not say anything about that afterwards. He wanted me to leave it to him, and I thought he might as well leave it to me, the other way.

[The Witness withdrew.

John Whiteford sworn; Examined by Mr. *Power*.

J. Whiteford.

509. Are you a farmer residing at Lanark?—Yes.

510. *Committee.*] Do you live in Lanark, or near Lanark?—About a mile from Lanark.

511. Mr. *Power.*] Do you know William Browne, of Lanark?—Yes.

512. Previously to the last election, did you see him at all?—Yes.

513. Did he canvass you to vote?—Yes.

514. For whom?—For Mr. Merry.

515. Did you receive from him, shortly before the election, a letter?—Yes.

516. Have you got it here?—No.

517. Is it lost?—It is lost.

518. What was the letter?—That I was to come up to him on important business.

519. *Committee.* Did you go?—Yes.

520. Did you see him?—Yes.

521. Where?—In his own house.

522. Mr. *Power.*] How long previously to the election was this?—Saturday evening before the election.

523. Was anybody with Browne when you called on him?—Yes.

524. Who was it?—My son.

525. Anybody else?—There were when I went in, but they went out.

526. *Committee.*]

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526. *Committee.*] Your son went with you, I suppose?—Yes.
527. Mr. *Power.*] On that occasion, did he ask you about your vote?—Yes.
528. What was it he said about your vote?—I do not recollect the words exactly; he said he knew there was something going on on both sides.
529. *Committee.*] What was the effect of it?—Meaning that there was money, or something as good going.
530. Mr. *Power.*] That there was money going on both sides?—Yes; and he said if I voted for Mr. Merry, I would be very ill to please if he did not please me.
531. Did you owe him anything at that time?—Yes.
532. How much?—I think it was 3 *l.* 10 *s.*
533. What for?—For goods.
534. Was anything said, at the time he said this, with reference to that 3 *l.* 10 *s.*?—No.
535. How long had you been owing him that 3 *l.* 10 *s.* at that time?—I could not say exactly; it was three or four months, I believe.
536. I believe he has summoned you for that money since the election?—Yes.
537. How did you vote?—I voted for Mr. Baird.
538. How long after you voted for Mr. Baird was it he summoned you for the debt?—I do not recollect; about a fortnight, I think.
539. When you had this conversation with Browne, did you see a person of the name of William Ritchie, an ironmonger?—Yes.
540. Did he come into Browne's house?—Yes.
541. Did he invite you to go anywhere?—Yes, he invited me down to Cooke's, and he would give me a glass.
542. Is that the Commercial Hotel?—Yes.
543. Who did you see when you got to the Commercial Hotel?—Mr. Castles was at the door when I went down.
544. Was anything ordered for you there?—Yes, he took me into the Commercial Hotel.
545. Who took you in?—Mr. Castles.
546. Did he order anything for you?—Yes.
547. What?—Brandy and lemonade.
548. Ritchie was the person who invited you in?—Yes.
549. When you got into the Commercial Hotel had you brandy and lemonade?—Yes.
550. Did you pay for it?—No.

Cross-examined by Mr. *Hale.*

551. I think you say you voted for Mr. Baird?—Yes.

[The Witness withdrew.

James M'Mann, called, and sworn; Examined by Mr. *Bourke.*

J. M'Mann.

552. ARE you living at Lanark?—Yes.
553. Are you a spirit dealer in Lanark?—Yes.
554. Are you a voter?—Yes.
555. Do you recollect about 10 days before the last election?—Yes.
556. Did you see Browne and Castles at your house?—Yes.
557. Did Browne say anything to you?—He said he wanted me to vote for Mr. Merry.
558. Did he say anything else?—That it would be better for myself to vote that way than the other way.
559. Did he say anything else?—I cannot say whether it was him or Mr. Castles who said if I did vote that way my house would be taken as committee-rooms.
560. For whom?—For Mr. Merry.
561. Did you give him any answer?—I said I did not know what I might do yet.
562. Which way did you vote?—For Mr. Baird.
563. Your rooms were not taken?—No.

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564. Do you recollect one evening John Martin meeting you?—No, I cannot recollect that.

565. Do you know a man of the name of Nelson?—Yes; Thomas Nelson.

566. Did you meet him one evening?—Yes.

567. Where was that?—Near John Martin's door.

568. John Martin is a voter?—Yes.

569. Were you calling on John Martin?—I was going to call on him.

570. Was he a supporter of Mr. Baird's?—No.

571. You were going to call on him?—Yes.

572. And ask him to vote?—Yes; to see which, who he was going to vote for.

573. You saw Browne?—Yes.

574. Close by John Martin's house?—Mr. Browne was with him, and there was a strange man I did not know.

575. You did not know whether it was Browne?—I am sure it was Browne; there was Browne and Nelson, and a strange man I did not know.

576. You are sure Browne was with Nelson?—Perfectly sure; he spoke to me.

577. Did he see you near John Martin's door?—Yes.

578. When they saw you going near John Martin's door, did either of them say anything to you?—Browne asked me what I was doing there, and I said I thought I had the same right there as he had.

579. That is all?—Yes.

Cross-examined by Mr. *Hale.*

580. What rooms do you mean, when you allude to your rooms being taken as committee-rooms?—I keep a public-house, and those rooms were to be taken.

581. Were your rooms taken as committee-rooms?—No.

582. Not at all?—Not at all.

583. They stood empty the whole time of the election?—Yes, unless people chose to come into them.

584. Did you have any placards on the house?—No.

585. None?—None.

586. Were not Mr. Baird's supporters in your house continually?—Yes.

587. Did they not use your house?—They used it the same as any other person who came in there.

588. Mr. Baird's supporters did?—Yes.

589. Were you not paid for the use of your house by Mr. Baird's committee?—No.

590. You have not taken any money for the use of that house?—They paid me when they called for anything, the same as another man would.

591. Did you have no placards up?—Not a single placard.

592. Did you send in any bill to anybody for what was eaten and drunk at your house?—I sent in a bill for the use of my rooms.

593. To whom?—A man of the name of Walker.

594. Who is he?—He is a smith in Lanark.

595. Do not you know that Walker the smith was one of Mr. Baird's chief committee men?—Yes.

596. You sent a bill in for the use of those rooms?—Yes, but he never took the rooms.

597. You sent in a bill for them?—Yes; he never paid me.

598. They have not paid you yet?—No.

599. You have talked about Browne and Castles coming to you together?—Yes.

600. Did they come together?—Yes.

601. Did not one come before the other?—I cannot tell; there were three altogether; there was a strange man with them.

602. I am talking about Browne and Castles coming to you when they talked about the rooms?—They were sitting in the room together when I was sent up. I do not know whether they came in together.

603. You found them there together?—Yes.

604. How long were you there altogether?—About 20 minutes I dare say.

605. Do you pledge your oath as to which of them said anything about the rooms?—No, I do not. *J. M'Mann.*

606. Have you any recollection about it?—I have a recollection of their being spoken of; I could not say whether it was Browne or Castles. 17 July 1857.

607. That you will not say at all?—No.

608. You do not say it was Browne?—No.

609. You will not say it was Castles?—No.

Re-examined by Mr. *Power*.

610. Did Browne hear what Castles said, or did Castles hear what Browne said?—Yes.

611. They were both together?—Yes.

[The Witness withdrew.

[Adjourned till Twelve o'clock To-morrow.

Sabbati, 18° *die Julii*, 1857.

SIR J. S. PAKINGTON, IN THE CHAIR.

THE Names of the Members were called over; all present.

William Bryce, sworn; Examined by Mr. *Power*.

612. WHERE do you reside?—Kingsons now. *W. Bryce.*

613. What business do you carry on there?—In the farming way.

614. Have you a vote for Lanark?—No. 18 July 1857.

615. Has your brother-in-law, Daniel Davy, a vote?—Yes.

616. For Lanark?—Yes.

617. On the evening before the last election, do you remember being at the Commercial Inn?—Yes.

618. Did you see Mr. William Browne there?—Yes.

619. In what part of the inn did you see him?—In the kitchen.

620. Was that the day before the poll, or the day before the nomination?—The day before the poll.

621. *Committee.*] After the nomination?—Of course.

622. The evening before the poll, was it?—Yes.

623. Mr. *Power.*] You say you saw William Browne in the kitchen; was he by himself, or were others with him?—There were a great many more.

624. Did you know any of the others?—I knew almost the whole that were in the house at the time.

625. Were most of them voters?—There was one I knew was a voter; he was in company along with me.

626. What was his name?—Daniel Munro.

627. After you got into the kitchen, did you have any conversation with Browne?—Yes; he asked me how I got on with the horses; and I said I had got them all up with me, and that I was sent for.

628. What horses were those?—Horses from Mrs. Somerville's, at the Commercial Inn.

629. What were you about to do with the horses?—Mr. Browne asked me to go and engage Mrs. Somerville's horses, and bring them along with me if I could, to hurl the voters out and in.

630. What were those horses to be engaged for?—To bring voters in and take them off again, they said to me.

631. Who said so?—William Browne.

W. Bryce.

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632. The horses were to be engaged for taking voters in and out?—Yes.

633. Did you see Browne on the following day?—I am not sure whether I did or not, on the following day.

634. Do you know Daniel Munro, a weaver?—Yes.

635. Is he a voter?—Yes.

636. Was he in the kitchen at the time you are speaking of?—Yes.

637. *Committee.*] Munro is the man you were with?—Yes.

638. Mr. *Power.*] Did Browne ask you anything with reference to Munro?—Yes.

639. *Committee.*] Was this the same night?—The night before the poll.

640. The same night that you were in the kitchen?—Yes.

641. Mr. *Power.*] Go on?—He asked me, "How is Daniel Munro going to vote"?—I said to him that he was going to vote for Mr. Merry.

642. On your saying that, what did Browne say?—He asked me if I had got any drink; and I said I had got a gill and a quarter. He says, "That is nothing at all; if he is going to vote for Mr. Merry, give him plenty to drink."

643. Did he say anything about what time Munro was to vote?—Munro said, that if I was coming into the town he would make up his mind.

644. Was Browne present?—At that time?

645. Yes?—I thought he would be off by that time.

646. On the day of the poll, were you in company with Munro at the Commercial Inn?—Yes.

647. Who were there when you got to the Commercial Inn besides you and Munro?—A great many were there at that time.

648. Voters?—Yes.

649. Had Munro anything to drink there?—We had whiskey and brandy.

650. How long were you there having whiskey and brandy?—I could not say; I had an interest in the horses, and I was going backwards and forwards.

651. How long did Munro stop there?—I cannot say.

652. How long do you think?—I believe about a quarter of an hour.

Cross-examined by Mr. *Rodwell.*

653. If I understand you rightly, you saw Mr. Browne, and you told him that Daniel Munro was to go to vote for Mr. Merry?—Yes.

654. What is Daniel Munro?—A weaver.

655. Where does he work?—In Lanark.

656. Is he a master weaver?—Yes.

657. When you went the second time to the Commercial Hotel, that was after the election, was it not?—On the election day.

658. The poll had been closed at that time?—Not at all; it was about 11 o'clock in the forenoon.

659. Munro had voted then?—Yes; he had voted at eight o'clock in the morning, as he told me.

660. He was a staunch friend of Mr. Merry's; one of the first to vote for him?—Yes, I believe he was, according to the poll.

661. Mr. *Power* (*through the Committee*).] Do you know of anybody ordering express horses for the election?—No; Mr. Browne sent me for these horses to engage them, and when the horses came they were put to the express.

662. *Committee.*] What do you call the "express"?—From Lanark to Carstairs Junction.

663. Mr. *Power.*] From whom did you get the horses?—Mrs. Somerville.

664. *Committee.*] You were ordered by Browne to get them from Mrs. Somerville?—Yes.

665. And you did get them?—Yes.

666. And they were put to the express?—Yes.

667. On the polling-day?—Yes.

[The Witness withdrew.

A. M'Ewel.

18 July 1857.

Alexander M'Ewel, called, and sworn; Examined by Mr. *Bourke*.

668. YOU are the ostler at the Commercial Inn?—Yes.
669. On the evening before the burgh election, in consequence of an order which you received, did you take any horses anywhere?—To Lanark.
670. Where did you take the horses from?—From Carluke.
671. How far from Lanark?—Six miles.
672. How many horses did you take?—Two.
673. *Committee.*] Where did you take them to?—To Lanark.
674. Where at Lanark?—The Commercial Inn.
675. Mr. *Bourke.*] Did you take anything else but the horses?—Two machines.
676. *Committee.*] What do you mean by "machines"?—Cars.
677. Mr. *Bourke.*] Were there two drivers?—Yes.
678. Did you take a letter?—Yes.
679. Who gave you the letter?—Mrs. Somerville.
680. *Committee.*] Is she a widow?—Yes.
681. To whom did you take the letter?—To Mr. William Browne.
682. You took that letter at the same time with the horses to Carluke?—Yes.
683. Did you go with the horses?—Yes.
684. Were you one of the drivers?—Yes.
685. Was there only one driver?—There were two drivers.
686. You were one of them?—Yes.
687. Were there two besides you?—No.
688. Mr. *Bourke.*] Did you see Mr. Lockhart?—Yes.
689. When did you see Mr. Lockhart?—On the following day; the Tuesday.
690. *Committee.*] The following day was the day of the poll?—Yes.
691. Mr. *Bourke.*] What did you do with the horses and the machines?—Instead of driving them, I was ordered to ride them from Lanark to Carstairs.
692. Did you do so?—Yes.
693. *Committee.*] You and the other driver were to ride, instead of driving from the seat of the car?—Yes.
694. Was that order given you that night or the next day?—The morning of the election.

Cross-examined by Mr. *Rodwell.*

695. Is Mrs. Somerville a widow?—Yes.
696. And she carries on the business?—Yes.
697. Can you read or write?—I can read, but not write.
698. Can you read writing?—Yes.

[The Witness withdrew.

W. Ritchie.

William Ritchie, sworn; and Examined by Mr. *Power.*

699. I BELIEVE you are an ironmonger residing at Lanark?—Yes.
700. Do you remember the last election for Lanark?—Yes.
701. I believe on that occasion you were on Mr. Merry's committee?—Yes.
702. Are you the Mr. William Ritchie whose name I find in the auditor's accounts that have been put in—"Ironmonger, 98, High-street, Lanark. To expenses of deputation to Falkirk, 1 *l.* 1 *s.* Canvassing voters at various periods during the election, 15 *s.* 8 *d.*?"—The same person.
703. You received that money?—I did.
704. What deputation was this to Falkirk?—At the nomination.
705. Explain it?—When the members were nominated at Falkirk in my absence, I was appointed to go there.
706. From Lanark to Falkirk?—From Lanark to Falkirk.
707. As a deputation representing Lanark?—Yes; the provost and other gentlemen, and me; I was not present when I was nominated to go.
708. Who employed you to canvass voters?—It was understood that every member of the committee would do what he could.

W. Ritchie.
18 July 1857.

709. And to be paid for it?—I was not paid for canvassing; it was for expenses during the canvass.

710. *Committee.*] You did that as a member of the committee?—Yes.

711. Mr. *Power.*] Who were the members of that committee?—A very good number.

712 Was William Browne one?—He attended the meetings.

713. Was he a member of the committee, attending the meetings of the committee?—He did attend the meetings.

714. *Committee.*] Had you a chairman?—Yes.

715. Mr. *Power.*] Mr. Harvey, I believe, was the chairman?—Sometimes Provost Gray.

716. And sometimes Mr. Harvey?—Yes; Baillie Harvey.

717. I believe the meetings of the committee were held at the Commercial Inn?—And sometimes in the Meal Market.

718. Was Mr. Lockhart there?—Generally there.

719. I see in the auditor's accounts there is "Burns and Maclean, Glasgow. To our Mr. Lockhart, acting as sole agent during the election in the burgh of Lanark for fourteen days," and so on. Was that the Mr. Lockhart?—Yes; I think it would be him.

720. Mr. Lockhart was there a considerable time?—During the canvass.

721. What room did he occupy at the Commercial Inn?—I do not know his private room; his public room was the principal room in the house.

722. Was that the committee-room?—Yes.

723. You seem to have attended the meetings of this committee?—I did.

724. Did Mr. Lockhart attend?—He was frequently there.

725. Did Mr. Merry come there?—Yes.

726. When was Mr. Merry there?—He was there; I did not see him; he was there after the election.

727. Have you not seen Mr. Merry in Lanark previously to the election?—Yes.

728. When was it you saw Mr. Merry in Lanark?—At the nomination for the county; either at the nomination or when the return was made for the county.

729. How long was that after the election?—A very short time.

730. *Committee.*] Was that at the declaration of the poll?—I think it was.

731. Was the county nomination during the burgh election?—It was about the same time.

732. Was it on the day of the polling or the declaration?—No; it was on that day, I think.

733. Mr. *Power.*] What did Mr. Merry do when he came?—He called on the voters.

734. Mr. *Rodwell.*] Did you see him do this?—I did not see him call on all the voters.

735. Did you see him canvassing?—No.

736. Mr. *Power.*] What did Mr. Merry do?—He gave us an account of the election; he thanked us for our support, and what we had done.

737. *Committee.*] What time are you speaking of?—The time when Mr. Merry came back; after the election.

738. Mr. *Power.*] Had not Mr. Merry been in Lanark before the election?—He did not call on me; he was in Lanark before the election, and delivered an address in the Free Church.

739. *Committee.*] Did you hear him?—Yes; I had never seen him till that night.

740. How long before the election?—I cannot say; perhaps four or five days.

741. Did you see Mr. Merry in the committee-room?—Yes.

742. You say you saw Mr. Merry in the committee-room at the Commercial Inn?—Yes.

743. Mr. *Power.*] Mr. Lockhart, you say, used to attend the meetings of your committee?—Yes.

744. Who canvassed?—The members of the committee and Mr. Lockhart.

745. *Committee.*] The members of the committee and Mr. Lockhart carried on the canvass?—Yes.

746. Why

746. Why do you say "the members of the committee and Mr. Lockhart"?—Mr. Lockhart was agent.

747. Mr. *Power.*] You say that Mr. Lockhart arranged for the canvass with the members of the committee?—We spoke of it.

748. Did Mr. William Browne canvass among the rest?—He did.

749. Do you remember hearing any arrangement made between Lockhart and Browne with reference to going to see a person of the name of Greenshields, a voter?—Both Mr. Browne and Mr. Lockhart canvassed frequently together; and I know there was considerable doubt about Greenshields, and perhaps they did.

750. *Committee.*] Did you hear the arrangement made between Lockhart and Browne with a view to the canvassing of Greenshields?—I think I did.

751. Mr. *Power.*] I think, when you gave an answer to my former question, you said that you remembered that Browne and Lockhart on several occasions canvassed together?—I have no hesitation in saying they did.

752. Mr. *Rodwell.*] You have seen them canvass together?—They left the committee-rooms to canvass together.

753. Mr. *Power.*] Were you canvassed?—No.

754. Mr. Lockhart seems to have been there 14 days; was it during that time?—I did not count the days; but he was there a considerable time.

755. Was it during this time you saw all this going on?—Yes.

756. Was there a band?—Yes; on one occasion a band played.

757. *Committee.*] Only on one occasion?—I remember one particular day, when they played most of the day.

758. Mr. *Power.*] On other occasions did you hear music?—Yes.

759. On one occasion, you saw the band and heard them?—Yes.

760. *Committee.*] What occasion was that?—Upon the election day, or very near it.

761. How often have you heard it on other days?—I cannot remember.

762. Two or three times?—I cannot say.

763. Do you think you heard it twice besides that day?—I cannot say I did.

764. Mr. *Power.*] Was it a regular band, with fifes and trombones, and so on?—Yes; the band belonging to the town.

765. And there were flags too, were there not?—I think there might be.

766. *Committee.*] Did you ever see the flags?—No; I do not remember seeing the flags.

767. Had they no flags at the time you saw them?—At the time I had in my mind just now; I was in the committee-room, and they were playing in the street.

768. You have told us there were flags; I ask you whether you saw the flags?—No.

769. If you did not see the flags, how do you know there were flags?—I did not say there were flags.

770. You said so just now?—I do not remember seeing the flags.

771. How do you know there were flags if you did not see them?—I do not know that there were flags.

772. Then why did you tell the Committee, two minutes ago, there were flags?—I think I was wrong in saying so.

773. Mr. *Power.*] Do not you know from Mr. Lockhart there were flags?—I never heard Mr. Lockhart say there were flags.

774. *Committee.*] Were any flags ordered in the committee-room?—No.

775. Mr. *Power.*] Do you remember the band having refreshments?—I never saw them get any refreshments.

776. Did you hear Browne give an order for any refreshments for them?—Yes.

777. On what occasion was it you heard Browne give an order for refreshments for the band?—The day I mentioned, when they played a great deal.

778. Was that on the evening when Mr. Merry addressed the people at Lanark?—I think it was.

779. Where was it that he gave the order?—In his own shop.

780. To whom?—I do not know the person's name.

781. What did he say?—That they were to get 20*s.* or 30*s.* worth of drink.

782. Where, at the Commercial Inn?—Or at the Meal Marke Inn.

 783. Are

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18 July 1857.

783. Are there any voters who live in Carstairs?—Yes.

784. How far is that from Lanark?—About four miles.

785. Do you remember their coming in?—Yes.

786. In to Lanark?—Yes; they came in on the election day to vote.

787. Do you know who canvassed those voters?—Mr. Merry was at Carstairs.

788. Was Mr. Browne one?—I think he was there.

789. *Committee.*] With Mr. Merry?—I cannot say; I never was at Carstairs myself.

790. Mr. *Power.*] Do you know who canvassed the Carstairs voters?—I never was at Carstairs myself.

791. Do you remember the Carstairs voters coming to Lanark?—Yes.

792. Where did they go to when they came?—I do not know where they went to when they came to the town.

793. Do you know the Commercial Inn?—Yes.

794. Were they there?—I saw some of them there.

795. Was that on the day of the polling?—Yes.

796. Did you see William Browne on that occasion?—Yes.

797. Was he with the Carstairs voters?—I saw him with them.

798. They dined together, did they not; William Browne and the voters?—I did not see them dine together.

799. What time of the day did you see them dine?—I never saw them.

800. What time of the day did you see them?—About five o'clock in the afternoon.

801. Where did you see them?—About the Commercial Inn.

802. *Committee.*] Did the committee give orders for their being entertained there?—I did not hear them give the order.

803. Mr. *Power.*] They were there, and you saw William Browne with them?—I did not see him dine with them.

804. We must now go back about these meetings of the committee; you were a voter yourself?—Yes.

805. William Browne was a voter?—Yes.

806. Was Robert Harvey there?—Yes.

807. Dr. Adams?—Yes.

808. William Castles?—Yes.

809. George Ross?—Yes.

810. Robert Gardner?—Yes.

811. Robert Wood?—Yes.

812. James Wood?—Sometimes.

813. David Simpson?—Yes.

814. James Sandilands?—Occasionally.

815. James French?—Yes.

816. James Dixon?—Yes.

817. Thomas Prosser?—Yes.

818. Walter Browne?—Sometimes.

819. John Currie?—Yes.

820. Thomas Nelson?—Yes.

821. Are all those voters?—Yes.

822. *Committee.*] All voters, and all members of the committee?—They were all sometimes there.

823. Were they all members of the committee?—I do not know; I was not at the appointment of the committee.

824. Mr. *Power.* Did they attend the committee-room?—They did.

825. *Committee.*] They all attended the meetings of the committee?—Yes.

826. Mr. *Power.*] You say Mr. Lockhart was there almost always; on those occasions were there refreshments?—Sometimes.

827. What?—There was meat and drink.

828. Whiskey?—Yes.

829. Brandy?—I dare say there might.

830. *Committee.*] At all these meetings?—Not at all.

831. Mr. *Power.*] How many times were there refreshments there?—I could not say.

832. A dozen times?—I think so.

833. *Committee.*]

833. *Committee.*] Was there anything to eat, as well as whisky and brandy to drink?—Yes.

834. Mr. *Power.*] Did anybody call for what they pleased?—Oh, yes.

835. *Committee.*] Everybody was free to call for what he pleased?—Oh, yes; I think so.

836. Mr. *Power.*] Did you pay for anything at these public meetings?—No.

837. Did you ever see any of these voters pay for anything?—No.

838. You said sometimes you met at the "Commercial Inn," and sometimes at the "Meal Market Inn"?—Yes.

839. At the "Meal Market Inn," did the same thing go on as at the "Commercial Inn"?—The same.

840. You were free to call for what you pleased?—Yes.

841. Mr Lockhart attended those meetings too, I believe?—Yes.

842. Nothing was paid?—No.

Cross-examined by Mr. *Rodwell.*

843. Are you aware that you are charged with having been bribed at this election?—No.

844. Then I will state to you, that a suggestion is made that you were bribed by the refreshments you took when you were acting upon this committee which has been spoken of, and also by the payment for your expenses when you were canvassing?—I never suspected that.

845. Had the employment which you had, or the refreshment which you had, anything whatever to do with your vote?—Nothing whatever.

846. I believe you have always been a very staunch and constant Liberal?—I have been.

847. My friend has talked about the other gentlemen, members of the Committee; I believe Mr. Gray is the Provost?—Yes.

848. Mr, Harvey is a magistrate, I believe;—He is a baillie.

849. Mr. Simpson also?—He is not a baillie now; but he was.

850. Mr. Castles is a member of the Council, I believe?—Yes.

851. Dr. Adam is a surgeon?—Yes.

852. John Wood is a councillor?—Yes; a town councillor.

853. Robert Wood is a town councillor also?—Yes.

854. Mr. Thomas Finch is a councillor also?—He is, or was.

855. Mr. Thomas Prosser, I believe, is also a town councillor?—Yes.

856. Mr. Sandilands is also a member of the council?—Yes.

857. Are the names I mentioned persons of respectability and position in Lanark?—The most respectable in the town.

858. You have told me about your own state of mind with reference to this refreshment?—Yes.

859. Are those gentlemen whose names I have mentioned, persons of liberal views?—Yes.

860. One word with regard to the constitution of the committee; was the committee formed for the purpose of aiding any Liberal candidate who might come into the field to oppose Mr. Baird?—It was.

861. Did you gentlemen meet together and form yourselves into a club or committee for that purpose?—A public meeting.

862. For the purpose of opposing Mr. Baird?—Yes.

863. Quite irrespective of Mr. Merry, because his name I believe at that time was not mentioned?—Yes, you are quite right.

864. You were not called into existence by Lockhart?—No.

865. And you met at the "Commercial Inn," if I understand you, as a committee, for the purpose of opposing Mr. Baird?—Yes.

866. Mr. Lockhart had, at the "Commercial Inn," a private room, distinct from your committee?—I believe he had.

867. You know the room he used to sit in?—I said I had seen him in the public room; I never was in his private room.

868. He was in that private room for conducting the affairs of Mr. Merry's election?—Yes.

869. Expressly?—Yes.

870. You say you were not there. Members of this committee were not

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allowed or did not go into Mr. Lockhart's private room?—I was never in it myself.

871. Are you sure that you ever saw Mr. Lockhart at the Meal Market?—I am sure he has been there.

872. At the time these refreshments my friend has talked of were going on, are you sure you have seen him there on those occasions?—I do not remember his being there at the time of the refreshments.

873. You gentlemen who formed this committee were all very anxious to turn Mr. Baird out of the representation?—Yes.

874. And you exerted yourselves for that purpose?—To the utmost.

875. Did you give, or see any person during that election give money or anything else, or treat, for the purpose of securing a vote, or for influencing a voter?—I did not myself.

876. You did not do it yourself or see any one?—No.

877. Did you see money given to any one?—No.

878. Have you been engaged in previous elections at Lanark?—Yes.

879. Several, I think?—Yes.

880. And always on the same side?—No.

881. Lately?—Not lately; I once supported Mr. Baird.

882. When was that?—Some years ago.

883. But lately you have been on the other side?—Yes.

884. Was this election, in your judgment, conducted as quietly and as free from excess as any election you recollect?—I think more so.

885. You say that Mr. Lockhart was concerned, as the agent of Mr. Merry, for conducting his election; did you hear Mr. Lockhart, on several occasions, request the gentlemen who were concerned in the election to refrain from anything like bribery or treating, or any corrupt practices?—Yes.

886. *Committee.*] To whom did he say that?—To members of the committee.

887. As a general statement?—Yes.

888. When?—At the beginning and during the canvass.

889. Mr. *Rodwell.*] He warned you?—Yes.

890. Did you ever see Mr. Merry in that committee-room in your life, or at Lanark, until after the election?—I remember seeing him after the election.

891. In the course of the election, during the canvass, and before the election was over, did you see Mr. Merry there at all?—I do not remember.

892. I ask you, whether you ever saw Mr. Merry in the committee-room at Lanark until after his election was over?—I remember him being in Lanark and delivering an address; but I forget whether I saw him at other places.

893. Was not the occasion when you saw Mr. Merry in Lanark on the occasion of Sir Edward Colebrook's nomination?—Yes.

894. The Lanark election was over then?—It was.

895. *Committee.*] You do not give a plain answer to a very plain question?—I am not acquainted with these things.

896. Just answer the question put to you; you are asked the plainest possible question: before Mr. Merry's election, during the canvass and previously to the election, did you or not ever see him in that committee-room at the "Commercial Hotel"?—I think I did.

897. Mr. *Rodwell.*] You told me distinctly you thought you had not, and now you say you think you did. The Chairman put the question to you very distinctly, Do you recollect, before Mr. Merry's election was over, on any occasion, seeing Mr. Merry in the "Commercial Hotel," in your committee-room?—I think I saw him there.

898. *Committee.*] You think you saw Mr. Merry in the committee-room before the election was over?—Yes.

899. Mr. *Rodwell.*] In addition to the circumstance of Mr. Lockhart warning persons to be cautious with reference to the conduct of the election, were papers like these distributed about the "Commercial Hotel," and about the committee-room, and in various parts?—Yes.

[*The Papers above referred to were put in, and were as follows:*]

W. Ritchie.

18 July 1857.

Bribery at Elections.

Excerpts from the Act of Parliament, 17 & 18 Victoria, entitled, "The corrupt Practices Prevention Act, 1854." The following persons shall be deemed guilty of bribery, and shall be punishable accordingly.

Section 2.—Bribery defined.

1. Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure, or to endeavour to procure any money, or valuable consideration, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote, or refrain from voting, or shall corruptly do any such act as aforesaid, on account of such voter having voted or refrained from voting at any election.

2. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, give or procure, or agree to give or procure, or offer, promise, or promise to procure, or to endeavour to procure, any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote, or refrain from voting, or shall corruptly do any such act as aforesaid, on account of any voter having voted, or refrained from voting at any election.

3. Every person who shall, directly or indirectly, by himself, or by any other person on his behalf make any such gift, loan, offer, promise, procurement, or agreement as aforesaid, to or for any person, in order to induce such person to procure, or endeavour to procure, the return of any person to serve in Parliament, or the vote of any voter at any election.

4. Every person who shall, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procure or engage, promise, or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election.

5. Every person who shall advance or pay, or cause to be paid, any money to or to the use of any other person with the intent that such money, or any part thereof, shall be expended in bribery at any election, or who shall knowingly pay, or cause to be paid, any money to any person in discharge or repayment of any money, wholly, or in part expended in bribery, at any election:

And any person so offending shall be guilty of an offence punishable by fine and imprisonment, and shall also be liable to forfeit the sum of 100 *l.* to any person who shall sue for the same, together with full costs of suit: Provided always, that the aforesaid enactment shall not extend, or be construed to extend to any money paid, or agreed to be paid, for or on account of any legal expenses, *bonâ fide* incurred at, or concerning any election.

The following persons shall also be deemed guilty of bribery, and shall be punishable accordingly.

Section 3.—Bribery further defined.

1. Every voter who shall before, or during any election, directly or indirectly, by himself, or by any other person on his behalf, receive, agree, or contract for any money, gift, loan, or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election.

2. Every person who shall, after any election, directly or indirectly, by himself, or by any other person on his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or to refrain from voting, at any election, and any person so offending shall be guilty of an offence punishable by fine and imprisonment, and shall also be liable to forfeit the sum of 10 *l.* to any person who shall sue for the same, together with full costs of suit.

Section 4.—Treating defined.

Every candidate at an election who shall corruptly by himself, or by or with any person, or by any other ways or means, on his behalf at any time, either before, during, or after any election, directly or indirectly give or provide, or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay, wholly or in part, any expenses incurred for any meat, drink, entertainment, or provision to or for any person, in order to be elected, or for being elected, or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such election, or on account of such person having voted or refrained from voting, or being about to vote or refrain from voting, at such election, shall be deemed guilty of the offence of treating, and shall forfeit the sum of 50 *l.* to any person who shall sue for the same, with full costs of suit; and every voter who shall corruptly accept or take any such meat, drink, entertainment, or provision shall be incapable of voting at such election, and his vote, if given, shall be utterly void and of none effect.

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Section 5.—Undue Influence defined.

Every person who shall, directly or indirectly by himself, or by any other person on his behalf, make use of, or threaten to make use of, any force, violence, or restraint, or inflict, or threaten the infliction, by himself or by or through any other person, of any injury, damage, harm, or loss, or in any other manner practise intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who shall by abduction, duress, or any fraudulent device or contrivance impede, prevent, or otherwise interfere with the free exercise of the franchise of any voter, or shall thereby compel, induce, or prevail upon any voter either to give or to refrain from giving his vote at any election, shall be deemed to have committed the offence of undue influence, and shall be guilty of an offence punishable by fine or imprisonment, and shall also be liable to forfeit the sum of 50 *l.* to any person who shall sue for the same, together with full costs of suit.

Section 6.—Offenders to be struck out of Register.

Whenever it shall be proved before the revising barrister, that any person who is or claims to be placed on the list or register of voters for any county, city, or burgh, has been convicted of bribery or undue influence at an election, or that judgment has been obtained against any such person for any penal sum hereby made recoverable in respect of the offences of bribery, treating, or undue influence, or either of them, then, and in that case, such revising barrister shall, in case the name of such person is in the list of voters, expunge the same therefrom, or shall, in case such person is claiming to have his name inserted therein, disallow such claim; and the names of all persons whose names shall be so expunged from the list of voters, and whose claims shall be so disallowed, shall be thereupon inserted in a separate list, to be entitled "The list of persons disqualified for bribery, treating, or undue influence," which last-mentioned list shall be appended to the list or register of voters, and shall be printed and published therewith, wherever the same shall be or is required to be printed or published.

Section 23.—Refreshments to Voters on the days of Nomination or Polling declared illegal.

And whereas doubts have also arisen as to whether the giving of refreshment to voters on the day of nomination, or day of polling, be or be not according to law, and it is expedient that such doubts should be removed: Be it declared and enacted, that the giving, or causing to be given, to any voter, on the day of nomination or day of polling, on account of such voter having polled, or being about to poll, any meat, drink, or entertainment, by way of refreshment, or any money or ticket to enable such voter to obtain refreshment, shall be deemed an illegal act, and the person so offending shall forfeit the sum of 40 *s.* for each offence, to any person who shall sue for the same, together with full costs of suit.

James Christie, Printer."

Airdrie, 23 March 1857.

Caution.

To the Electors of the Falkirk District of Burghs.

Fellow Electors.—Having an interest in the independence of my fellow electors, I beg to quote a few clauses of the Act passed, 10th August 1854, relating to bribery, treating, and undue influences at election of Members of Parliament, with a view to inform them of the consequences, if the same practices be resorted to that have disgraced a few of the past elections in these burghs.

Extracts from Act.

"Every candidate at an election who shall corruptly, by himself, or by or with any person, or by any other ways or means on his behalf, at any time, either before, during, or after any election, directly or indirectly, give or provide, or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay, wholly or in part, any expenses incurred for any meat, drink, entertainment, or provision to or for any person, in order to be elected, or for being elected, or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such election, or on account of such person having voted or refrained from voting, or being about to vote or refrain from voting, at such election, shall be deemed guilty of the offence of treating, and shall forfeit the sum of fifty pounds to any person who shall sue for the same, with full costs of suit; and every voter who shall corruptly accept or take any such meat, drink, entertainment, or provision shall be incapable of voting at such election, and his vote, if given, shall be utterly void and of none effect."

"Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, make use of, or threaten to make use of, any force, violence, or restraint, or inflict or threaten the infliction, by himself or by or through any other person, of any injury, damage,

damage, harm, or loss, or in any other manner use intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who shall, by abduction, duress, or any fraudulent device or contrivance, impede, prevent, or otherwise interfere with the free exercise of the franchise of any voter, or shall thereby compel, induce, or prevail upon any voter, either to give or refrain from giving his vote at any election, shall be deemed to have committed the offence of undue influence, and shall be guilty of a misdemeanour, and in Scotland of an offence punishable by fine or imprisonment, and shall also be liable to forfeit the sum of fifty pounds to any person who shall sue for the same, together with full costs of suit."

W. Ritchie.

18 July 1857.

"And whereas doubts have also arisen as to whether the giving of refreshment to voters on the day of nomination or day of polling be or be not according to law, and it is expedient that such doubts should be removed: be it declared and enacted, that the giving or causing to be given to any voter on the day of nomination or day of polling, on account of such voter having polled or being about to poll, any meat, drink, or entertainment by way of refreshment, or any money or ticket to enable such voter to obtain refreshment, shall be deemed an illegal act, and the person so offending shall forfeit the sum of forty shillings for each offence to any person who shall sue for the same, together with full costs of suit."

An Independent Elector.

900. You saw those papers about?—Yes.

901. You know those papers were distributed and published abroad?—Yes.

902. Where were they exhibited?—On the committee-room table, and on the walls of the town, and places where bills are usually posted.

Re-examined by Mr. *Power*.

903. When did this committee first begin to sit at the Commercial Inn?—I do not remember.

904. How long previous to the day of polling; a fortnight?—Scarcely so long; 10 or 12 days.

905. We have got the auditor's accounts here. Did you mean to tell my friend that that Committee was organised as an independent committee, before Mr. Lockhart came; Mr. Merry's agent?—I was not at the meeting that nominated the committee.

906. Did you attend any meeting of that committee until after Mr. Lockhart had come to the Commercial Inn; Mr. Merry's agent?—I think the first meeting I was at, Mr. Lockhart was there.

907. Then what did you mean by telling my friend this was a committee organised as an independent committee altogether of Mr. Merry, when your first meeting was attended by Mr. Lockhart?—I think Mr. Lockhart or Mr. Merry had nothing to do with it.

908. What brought you there, at the first meeting when Mr. Lockhart was there?—I was warned to attend.

909. Who warned you?—An officer for the purpose.

910. Who was that?—James Cowan.

911. He invited you there?—Yes.

912. And when you got there you found Mr. Lockhart?—I think he was there.

913. Did not Mr. Lockhart at that time tell you that he was Mr. Merry's agent?—I forget whether he told me.

914. What did he say he was; he was a stranger to Lanark?—He was a stranger.

915. Did he not at that time tell you that he was Mr. Merry's agent?—I do not think that he told me.

916. Have you any doubt that you knew at that time that he was Mr. Merry's agent?—I did know during the canvass that he was Mr. Merry's agent, but I did not know that at first.

917. Had you conversation then about canvassing, and about the state of the representation, and so forth?—Yes.

918. Mr. Lockhart was there: did you make arrangements about canvassing and the state of the feelings of the voters?—I do not know that I did at the first meeting.

919. At the second and third meetings?—There were arrangements made at the committee to conduct the canvass.

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920. How long after that was it that Mr. Merry came down to deliver his address?—I could not say.

921. Two or three days afterwards?—It was some time afterwards.

922. Did you not arrange for this meeting?—Which meeting?

923. The meeting at the Free Church?—I do not remember making an arrangement for that purpose.

924. How did you know Mr. Merry was coming down?—I do not know that we knew of his coming.

925. My friend has asked you whether you saw any money given, or refreshments, for the purpose of influencing voters: was not this very Commercial Inn a perfectly open house on the day of the poll?—I never was there till the afternoon.

926. Were there not voters by scores there, eating and drinking?—I did not see them.

927. Did you not see voters there?—Not by scores.

928. By tens?—I did not see ten, except the committee.

929. The committee were all eating and drinking, were they?—We had dinner there in the afternoon.

930. Were there not other voters there?—It was the committee who dined.

931. *Committee.*] The question put to you was, "Were there not other voters there?" Do you suppose it is an answer to that question to say, "It was the committee who dined"? The word "other" distinguishes them from the committee. Give a plain answer to the question: were there any other voters there?—I think some of the Carstairs voters were there.

932. Mr. *Power.*] Were they eating and drinking?—I think they got their dinner in the house.

933. *Committee.*] How many of them?—Three or four, perhaps.

934. Mr. *Power.*] Was any money paid on that occasion at all?—I did not see any.

935. *Committee.*] You say that three or four Carstairs voters dined in the house, and no money passed that you saw?—I saw no money paid.

936. And the committee dined there?—Yes.

937. Besides the committee and the Carstairs voters, were there any other voters in the house?—I did not see any.

938. Mr. *Power.*] How many dined altogether?—I did not count them.

939. Were there not as many as 30 dined there in your presence?—I think there would not be 30.

940. Would there be between 20 and 30?—I did not count them at the time.

941. *Committee.*] Tell us how many you think there were?—I think there might be 16 or 18, or 20.

942. Mr. *Power.*] Were there not voters other than those persons whose names I have read to you as members of the committee?—Provost Grey was there, and Mr. Field was there. I do not know that he is a voter. A voter of the name of Stevens was there.

943. *Committee.*] Is he a Carstairs voter?—No.

944. Was he a committee-man?—I have seen him at meetings; I think he was not a regular committee-man.

945. What meetings do you mean?—During the canvass.

946. What meetings?—He was present on the afternoon at the election.

947. What meetings have you seen him at?—I mean committee meetings; but he was not named with the names that this gentleman read.

948. Mr. *Power.*] I must ask you again whether at that dinner there were not as many as 30 persons present?—I could not say there were 30.

949. *Committee.*] Did you count them?—I did not.

950. Mr. *Power.*] Will you swear there were not as many as 25?—I did not count them; but from the size of the room, I do not think there were as many as that.

951. *Committee.*] Were they all in one room?—Except the Carstairs voters and Mr. Brown, who dined, I believe, in another room.

952. Did the Carstairs voters dine together?—Yes.

953. In another room?—Yes.

954. Then when you spoke of the number, whether it was 16 or 18, or 20, you alluded to those in one room?—Yes.

955. Was

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955. Was there a third room in which any voters dined?—I do not think it; I did not see any.

956. Mr. *Power.*] You were not at the Commercial Inn until you went to dinner there?—In the afternoon.

957. Until you went to dinner?—No.

958. Therefore you do not know what was going on in the house on the previous part of the day?—No.

959. *Committee.*] Was dinner going on?—I think dinner was at five o'clock.

960. They all sat down at once?—Yes, about five o'clock.

961. Did I understand you to say that Brown dined with the Carstairs voters, or in a third room?—With the Carstairs voters.

962. Mr. *Power.*] That was in another room, distinct from where you and the rest were dining?—Yes.

963. Have you, or any of those who dined there, to your knowledge, paid a single farthing for that refreshment?—No.

Examined by the *Committee.*

964. You dined there yourself?—Yes.

965. And did not pay?—No.

966. You say you are not aware of anybody else having paid?—I believe it is not yet paid.

967. Mr. *Rodwell* (through the *Committee*).] Did not this committee, before Mr. Merry's arrival, send a deputation to Glasgow for some candidate in the liberal interest?—Yes.

968. *Committee.*] When was this committee formed?—About three weeks before the election.

969. Do you remember the day?—No.

970. How long before Mr. Merry appeared as a candidate?—Some days. A deputation went from Lanark to Glasgow to look out, and to hear about a candidate in the liberal interest.

971. Then it was a committee voluntarily formed?—Yes, distinctly.

972. Before you knew who would be the candidate?—Yes.

973. You say you never attended the Committee before the arrival of Mr. Lockhart?—I think not.

974. Then how did you know of the proceedings of the committee, or what they did previously?—It was known through the whole town; they were appointed at a public meeting; I think I said I was not present when I was appointed myself.

[The Witness withdrew.

Robert Gardner sworn; Examined by Mr. *Bourke.*

R. Gardner.

975. YOU are a Voter of the Burgh of Lanark?—Yes.

976. Where do you live?—In High-street, Lanark.

977. What are you?—I follow no trade; I was at one time an iron-merchant.

978. *Committee.*] You are retired?—Yes.

979. Mr. *Bourke.*] Were you on Mr. Merry's committee?—I was.

980. William Brown was on the committee?—He was not chosen at the time the committee was spoken of.

981. He used to attend the meetings?—He attended the meetings.

982. You were there when the committee was struck?—Yes; I was not often there.

983. Do you recollect being one night at the Meal Market Inn?—Yes.

984. The committee were there?—No.

985. Who was there?—Part of the committee were there, and a good number of the committee were not there.

986. Had you any refreshment?—We had a supper, I think.

987. Do you know Thomas Walker's house?—Yes.

988. What is he?—He is a spirit-dealer.

989. Whereabout does he live?—In High-street, Lanark.

990. Is that near the Commercial Inn?—Yes.

991. Is

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991. Is it in the same street?—No.

992. How many times were you at Thomas Walker's house during the election?—I think I was there just once.

993. Not more?—Not more.

994. Was anybody else with you there?—Yes, there were a number there.

995. Who was there?—One Murrough and Thomas Brown.

996. Is he a voter?—Thomas Brown is a voter.

997. He was there?—Yes.

998. Did you see other voters there?—I could not say who was there altogether; there were a good number; perhaps a dozen or so.

999. Do you know Thomas Steel?—No.

1000. Did you pay for anything when you were there?—I did.

1001. *Committee.*] What did you pay for?—I paid 1 *s.*, I think. I went out of the house before others went out, and I left 1 *s.* for what I called for.

1002. Mr. *Bourke.* You were never there but once?—Only once, I think, to the best of my recollection.

1003. Are you sure of that?—To the best of my recollection I never was there but once.

1004. Do you recollect being at the Commercial Inn?—I was at the Commercial Inn several times at the meetings.

1005. Were you there on the election day?—Yes.

1006. Had you any refreshment there on that day?—I do not think I had; I had no refreshment there on that day, I think.

1007. Did you see any other people there?—There were a good many people there, because there was a good deal of excitement in the village at the time.

1008. Do you know the voters from Carstairs?—No.

1009. You had no dinner at the Commercial Inn that day?—I think there was a dinner.

1010. Had you dinner?—Yes.

1011. *Committee.*] You had dinner on the day of the election?—I had dinner, but no drink.

1012. You told us you had no refreshment?—It was after the election.

1013. You had dinner?—Yes.

1014. But you were not thirsty that day?—No; I did not stop after that.

1015. Are you a teetotaler?—No.

1016. Mr. *Bourke.*] You had dinner there?—Yes.

1017. Did you pay for it?—No.

1018. Was there a chairman at that dinner?—I think there was.

1019. Who was he?—I think it was a man of the name of Field.

1020. Is he a voter?—No; he does not live in the burgh.

1021. You had a person called a croupier, had you not?—Yes.

1022. Who was he?—I think Gray was his name.

1023. *Committee.*] Provost Gray?—Yes, Provost Gray.

1024. Mr. *Bourke.*] Where did Provost Gray sit at the table?—He sat at the end of the table.

1025. And Mr. Field at the other end?—Mr. Field at the head of the table.

1026. Was Mr. Lockhart there?—I think he was.

1027. *Committee.*] Are you sure?—I am not sure.

1028. Mr. *Bourke.*] Was William Brown there?—I could not say whether he was there or not.

1029. *Committee.*] About how many people were at dinner?—I should suppose about 30 or 40 people.

1030. You say there were 30 or 40 people at this dinner?—Yes.

1031. Were there 30 or 40 people in that one room?—I think so.

1032. You think there were?—Yes.

1033. Were they voters?—Some were voters and some were not.

1034. How many of the 30 or 40 do you think were voters?—I could not say; the chairman was not a voter himself.

1035. I ask you how many out of the 30 or 40 were not voters?—I could not answer that question.

1036. Can

1036. Can you venture to state to the Committee there were half a dozen men out of the 30 or 40 who were not voters?—I could not take upon myself to say; there were a number of persons not voters, and a number of people that I was not acquainted with. *R. Gardner.* 18 July 1857.

1037. Do you think that out of the 30 or 40 persons there were half a dozen who were not voters?—I think there were more than half a dozen not voters.

1038. How many do you think there would have been?—I could not say.

1039. Are you aware whether dinners were given in other rooms at the Commercial Inn on that same day?—No, I do not think there were.

1040. You are not aware whether the Carstairs voters and Mr. Brown were dining in another room at the same time; you did not see them?—No, I did not.

Cross-examined by Mr. *Rodwell.*

1041. This dinner that you have spoken of was a dinner to celebrate the return of Mr. Merry, was it not?—I think so.

1042. You say you have not paid for that dinner?—No, I have not paid for it.

1043. Do you know that you are charged with having been bribed at this election?—I do not.

1044. Then I can inform you that you are. When did you make up your mind to vote for Mr. Merry?—I should say eight or 10 days before that.

1045. Had the refreshment you had at the Commercial Hotel, or the other refreshment you had at the Meal Market, anything whatever to do with the vote you gave?—Nothing.

1046. Have you voted at former elections?—Yes.

1047. Have you voted for the Liberals?—Yes.

1048. This dinner was after the poll closed on the day of election, was it not?—Yes.

Re-examined by Mr. *Edwin James.*

1049. Did you celebrate the election there?—Just so.

[The Witness withdrew.

Daniel Livingston, sworn; Examined by Mr. *Edwin James.*

1050. WHAT are you?—I am an innkeeper. *D. Livingston.*

1051. You reside at Carstairs; at the Carstairs Junction?—Yes.

1052. Do you know Thomas Steel, who is a voter?—Yes.

1053. Do you know Thomas Snellie?—Yes.

1054. Do you know John Somerville?—Yes.

1055. Were they voters at the last election?—Yes.

1056. Did Cooke, the landlord at the Commercial Inn, call upon you previous to the polling day?—Not Cooke alone.

1057. Was Cooke with anybody?—Cooke was there with three other gentlemen.

1058. Who were they?—Mr. Prosser, Mr. Castle, and Thomas Steel.

1059. How long before the polling?—I am not quite sure whether it was the day before the polling or two days.

1060. Was any arrangement made for you to take these voters, whose names I have mentioned to you, to Lanark to poll?—Yes.

1061. How were you to take them up?—By machine.

1062. Did you, on the morning of the poll, take those three voters to Lanark?—Yes.

1063. Where did you drive them to?—To Lanark.

1064. Did you drive them to the poll?—Yes.

1065. Where did you put them down at Lanark?—At the poll.

1066. Did you see them vote?—No.

1067. You put them down at the poll?—Outside the gate.

 1068. After

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1068. After you had put them down outside the gate, did you go to the Commercial Inn?—Yes; I went and lodged my horse there.

1069. Did you dine at the Commercial Inn?—I dined that day and paid for it.

1070. Did you dine at the Commercial Inn?—Yes.

1071. Did these three gentlemen dine with you?—Not at mid-day.

1072. Did they dine twice then?—I do not know.

1073. Did you see them at dinner there?—Yes; I was there at night.

1074. What time did you have your dinner?—I had my dinner at about two o'clock.

1075. You are not a voter?—No.

1076. Did you dine twice that day?—Yes.

1077. What time did you get your second dinner?—I could not exactly say; somewhere about seven or eight o'clock.

1078. At the time of your second dinner, did you see these three voters at dinner; did they dine with you?—Yes.

1079. Was that about seven or eight o'clock?—I think so, if I mind.

1080. What had you for dinner?—I cannot exactly say.

1081. Did you have broth?——

[The Witness withdrew.

Mr. *Rodwell* submitted that the Counsel for the Petitioners were not in a position at present to go into any case of treating, with regard to the three voters referred to.

Mr. *Edwin James* was heard against the objection.

Mr. *Rodwell* was heard in reply.

The Committee overruled the objection.

Daniel Livingston was again called in; and further Examined by Mr. *E. James.*

1082. Did you pay for your second dinner?—No.

1083. Not your eight o'clock dinner?—No.

1084. How much did you pay for your first dinner?—A shilling.

1085. Which was the better dinner of the two?—I thought as much of the first as of the last.

1086. Your second dinner you did not pay for?—No.

1087. Did you have wine and whiskey at the second dinner?—I cannot exactly say.

1088. I must ask you?—There was some whiskey on the table, and some wine too.

1089. I may guess that you drank a little of both; how was that?—I think I took some of the whiskey, but as to the wine I cannot mind.

1090. Was there dessert with your second dinner?—Yes.

Cross-examined by Mr. *Rodwell.*

1091. You are not a voter, I think?—No.

[The Witness withdrew.

Thomas Wyse, sworn; Examined by Mr. *Edwin James.*

T. Wyse.

1092. ARE you a farmer, residing at Cobblebray, near Falkirk?—Yes.

1093. Do you remember receiving Mr. Merry's address which he first put out for the burgh?—Yes.

1094. After that did Mr. Merry call upon you for your vote?—Yes.

1095. About what date can you suggest for Mr. Merry calling; how long before the election do you think?—It was either the Friday or Saturday.

1096. Who were with Mr. Merry when he canvassed you for your vote?—Mr. Mitchell was along with Mr. Merry.

1097. Do you know Provost Adam?—Yes.

1098. Was

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1098. Was he with them?—Yes; he was in the carriage.

1099. Who else was with Mr. Merry?—There was a young gentleman whom I did not know.

1100. Did Mr. Merry ask you for your vote?—Mr. Mitchell introduced Mr. Merry.

1101. What was said?—Mr. Mitchell said that Mr. Merry had just been going over the works and seeing Mr. Dawson, and that Mr. Dawson was going to support Mr. Merry.

1102. Did Mr. Merry ask you, or did anybody in his presence ask you, for your vote?—Yes.

1103. Had you before that always voted for Mr. Baird?—Yes.

1104. Did you mention that at the time?—Yes.

1105. What did you say about your having always voted for Mr. Baird?—I said that I had voted for Mr. Baird formerly, and that I had no cause to change my mind.

1106. What was said then?—Conversation took place; Mr. Merry left me, saying that he begged I would not give him cause to come back to canvass me again.

1107. At that time had you applied to the National Bank of Scotland for some advance, or for a deposit to a banking account?—I believe I had.

1108. Explain what it was?—For a small accommodation at the bank.

1109. Did you have an account at the bank in the ordinary customers' account, or had you applied for an advance, or what?—No account.

1110. What had you applied for?—For a small accommodation.

1111. Is it usual in banking in Scotland to apply for what you call a cash credit?—Yes.

1112. When you have to give a security?—Yes.

1113. Although you have not got the ordinary customers' account?—Yes.

1114. Had you been refused or not?—Mr. Adam said, "Not just now, but you can see me again."

1115. Was Provost Adam, who came with Mr. Merry, the agent at Falkirk of the bank?—Yes.

1116. You had applied to Provost Adam, and Provost Adam told you "not just now, but you can see me again"?—Yes.

1117. How long before you were canvassed for your vote had you made the application to Provost Adam to apply to the bank for a cash credit?—I think it was just the Thursday.

1118. *Committee.*] To whom had you made that application?—To Provost Adam.

1119. And it was at the time of the application that Provost Adam made you the answer of which you have spoken?—Yes, at that time.

1120. That he could not do it just now?—Yes.

1121. Mr. *Edwin James.*] That was the state of things at the time you were canvassed by Mr. Merry and Provost Adam for your vote; is that so?—Yes.

1122. After Mr. Merry had canvassed you with Provost Adam on this first occasion, did you meet Mr. Merry after, before the election?—I did.

1123. Where did you meet him, as near as you remember?—I met Mr. Merry at Hamilton, I think.

1124. How long before the election was the first canvass by Mr. Merry of you?—It was on the Saturday, eight days previously; the election was on the Tuesday, if I recollect.

1125. *Committee.*] It was the Saturday week before?—Yes.

1126. When was it you saw him again at Hamilton?—On the Tuesday or Wednesday.

1127. On Thursday you applied for the credit at the bank?—Yes.

1128. I understood you to say that on the occasion of this first visit nothing passed on the subject of the credit at the bank?—Nothing.

1129. Mr. *Edwin James.*] At the first canvass by Mr. Merry you had given him no promise, but he said he hoped you would not require him to come and canvass you again?—Yes, that was his answer.

1130. At how many elections have you voted for Mr. Baird?—Only one.

1131. When you met Mr. Merry at Hamilton, was anybody with him?—

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Mr. Merry was in the street along with other gentlemen, going from door to door canvassing.

1132. Did you observe who were with him?—I did not know who was with him.

1133. Did Mr. Merry come up and speak to you?—Yes, Mr. Merry came across and shook hands with me.

1134. What did he say to you?—Just a little conversation went on.

1135. What did Mr. Merry say to you?—I asked Mr. Merry if he would befriend me, and Mr. Merry said that the law was so strict that he could not do it just now; "but see my agent at Falkirk."

1136. *Committee.*] Did you specify in what mode you wished to be befriended?—No.

1137. You did not say anything about a credit at the bank at that time?—No.

1138. Mr. *Edwin James.*] What did he say?—Mr. Merry said, "not just now, but see my agent at Falkirk."

1139. *Committee.*] Were those the words he spoke?—Yes.

1140. Or the exact substance?—Yes.

1141. Mr. *Edwin James.*] Did you see anybody afterwards?—No.

1142. Did you see Mr. Merry and Provost Adam together again?—Yes, I did see them walking together again.

1143. When and where did you see them together?—On Saturday, the nomination-day.

1144. *Committee.*] Where?—Near to the Steeple, in Falkirk.

1145. Do you mean that you had conversation with them on that occasion?—No, I took a back close not to meet them.

1146. You saw them together?—Not to meet them I took a back close, and went home.

1147. Mr. *Edwin James.*] You went out of the way to avoid meeting them?—Yes.

1148. *Committee.*] That was not the day you had conversation with Mr. Merry, but a future day?—On the Saturday.

1149. Mr. *Edwin James.*] Did you learn (you must not tell me what your wife said), did you learn that Provost Adam had seen your wife?—Yes.

1150. When was it that you learned that Provost Adam had seen your wife?—On Monday night previous to the election.

1151. *Committee.*] You mean that you learnt it on Monday night?—Yes; my wife told me when I came in.

Cross-examined by Mr. *Phinn.*

1152. Had you had any dealings with this bank before?—Yes.

1153. Had you discounted bills there?—Yes.

1154. Have they ever discounted a bill for you without other names on it?—Not without other names.

1155. When you applied for the credit, did you want a discount of bills, or to have a sum placed to your account?—A sum.

1156. Without bills?—Yes.

1157. Did you mention any proposed security?—I think I mentioned that I had my life insurance; two policies of insurance.

1158. I believe you know that the course of Scotch banking is, that if you apply for an advance you give a bond with two sureties?—Yes.

1159. Is that the course of dealing?—I understand so.

1160. You tell us you had an interview, or saw Mr. Merry on the Saturday?—Yes; on the Saturday or Friday.

1161. Did you go to Hamilton on purpose to see him?—No.

1162. Were you there casually?—Yes.

1163. Will you tell me the exact words you said to him, as far as you can recollect them?—I think the exact words were, after a little conversation——

1164. Can you remember how the conversation began; did you begin it, or did Mr. Merry begin it?—Mr. Merry came and shook hands with me, and I asked him how he was getting on, and he said he was getting on very well.

Before

Before I parted with him, I said to him, "Will it be in your power to befriend me?" *T. Wyse.*

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1165. Give us the exact words he said?—As near as I can recollect, Mr. Merry said, "Not just now, but see my agent at Falkirk."

1166. Was anybody present when that conversation passed?—No person was present that I saw.

1167. Were there not several gentlemen with Mr. Merry?—There were gentlemen going from one door to the other, but they were not near Mr. Merry.

1168. Are you quite sure of that?—Yes.

1169. Tell me the name of any gentleman you saw on that occasion?—I did not know the name of any gentleman there.

1170. *Committee.*] How many gentlemen were with him?—I think there were three or four going along the street with him.

1171. Did you not say he crossed the street?—Yes, he crossed the gutter.

1172. Mr. *Rodwell.*] Was anybody near enough to hear what passed between you?—No.

1173. Was it loud?—Not loud.

1174. You spoke in your ordinary tone?—Yes, a smooth tone; not loud.

Re-examined by Mr. *Edwin James.*

1175. You voted for Mr. Baird?—Yes.

[The Witness withdrew.

Catherine Wyse, sworn; Examined by Mr. *Edwin James.*

1176. YOU are the wife of the last witness?—Yes. *C. Wyse.*

1177. Do you remember Mr. Merry calling with Mr. Mitchell upon you before the election?—Yes.

1178. What day was this?—About a fortnight previous to the election.

1179. Did you see Mr. Merry?—Yes.

1180. Did he canvass you for your vote?—No, he did not.

1181. What did he say?—On passing through the kitchen, I said to him, I wished him success.

1182. *Committee.*] Was this on the Saturday?—On the first and only day I saw Mr. Merry.

1183. Was that the only day he called at your house?—Yes.

1184. You wished him success?—Yes.

1185. Did he ask you for your husband's vote?—No.

1186. Mr. *Edwin James.*] On the night before the election, do you remember a carriage driving up to your door?—Yes.

1187. *Committee.*] Was that the day of the election?—The night before the election.

1188. You mean the poll?—Yes, the Monday night.

1189. Mr. *Edwin James.*] About what time in the evening?—About half-past six, or nearly seven.

1190. You keep a servant, do you not?—Yes.

1191. Did the servant introduce a gentleman to you, who came in that carriage?—Yes.

1192. Who was it?—Provost Adam.

1193. What did Mr. Adam say to you?—He said that my husband had pledged himself to Mr. Merry.

1194. What did you say?—I did not say anything.

1195. Upon that, did Mr. Adam follow you through the kitchen into the parlour?—Yes.

1196. Did he say anything to you about a person of the name of Dawson?—Yes.

1197. Tell the Committee what he said?—He said that our neighbours were supporting Mr. Merry, and Mr. Dawson also, our landlord.

1198. What did you say?—I said that I did not care, so long as we were able to pay our rent; and that if we did not pay our rent we should be very soon exposed.

 1199. I think

1199. I think you say Dawson was your landlord; and he said that Dawson was supporting Mr. Merry?—Yes.

1200. Upon that did Mr. Adam tell you anything to tell your husband?—He said my husband had been in the west country, and that he had unlimited authority from Mr. Merry to give him what he wanted; and that Mr. Merry was a gentleman of great wealth, and that money was no object to him.

1201. Was this said after you had said that if you did not pay your rent you would be exposed?—Yes.

1202. I think you said he told you to tell your husband that?—Yes.

1203. *Committee.*] He desired you to tell your husband that?—Yes.

1204. Mr. *Edwin James.*] What did you say to him when he desired you to tell your husband that?—That I would do so.

1205. Was your husband from home this evening when Provost Adam made this communication to you?—Yes; he was not at home.

1206. When he came home, did you tell him what Provost Adam had desired you to tell?—I did.

1207. Did you know that your husband, before that, had voted for Mr. Baird?—Yes.

1208. Is this the same Provost Adam who is the local agent of the National Bank?—Yes.

1209. When you told your husband, what did he say?—

Mr. *Phinn* submitted that a statement by the husband was not evidence.

Mr. *Edwin James* was heard against the objection.

Mr. *Phinn* was heard in reply.

The *Committee* overruled the objection.

1210. Mr. *Edwin James.*] Did you tell your husband what Provost Adam had told you?—I did.

1211. What did he say?—I do not recollect what he said.

1212. Try and remember what he said?—He was speaking about something else; he was telling me some story that happened in the evening.

1213. *Committee.*] Was it on the same night you told him this?—Yes; but it was morning before he came into the house. I was in bed when he came in, and I told him. He told me another story; and I think he paid very little attention to what I said to him.

1214. Did you at last attract his attention to it?—I did.

1215. Did you consider it an important communication?—I thought so at the time, because it came from the provost; I told him he had been canvassing again.

1216. After you had drawn his attention to it as an important communication in your opinion, can you remember the substance of what he said?—He said very little about it, if he said anything at all. He told me a story that happened in the evening when he was out, some other thing not connected with the election at all.

1217. He seemed to take very little notice?—He took very little notice of it.

1218. Mr. *Edwin James.*] Excuse me asking you this question; he had stated that Dawson was your landlord and that he supported Mr. Merry; at that time were you in arrear of your rent to Dawson?—I think it was due about that time.

1219. He mentioned that Dawson was supporting Mr. Merry?—Yes.

1220. You said that you might be exposed and turned out, and then Provost Adam made that statement?—Yes.

1221. Was your rent due at that time?—It was about due.

1222. What is your rent?—Our terms are Candlemas and May.

1223. What is your rent per annum?—We pay our rent by the year; it is sometimes more and sometimes less.

1224. How much land does your husband hold?—Less than 100 acres.

1225. What would be your average rent?—Last year our rent was 395 *l.*

1226. At

1226. At that time did you owe half a year's rent or a year?—About half a year. *C. Wyse.*

1227. Then you would owe about 150 *l.*?—I am not sure exactly. 18 July 1857.

Cross-examined by Mr. *Phinn.*

1228. If I understand, your rent becomes due in March?—February.

1229. When do you usually pay it?—It ought to be paid in February and in May; those are the terms I believe.

1230. Is the rent that is paid in May the rent that falls due in February?—I am not versed in that.

1231. You say that Provost Adam came to you on this evening; was anybody present when this conversation took place?—Nobody.

1232. How long did he stay in the house?—He might be there from 15 to 20 minutes.

1233. You have given us a very short conversation; in what room did it take place?—In the room off the kitchen; what we call our parlour.

1234. Did these words occur that you have given us, connectedly, or have you told us the purport of the conversation; have you given us his exact words, or what you gathered from the conversation?—It is not all he said.

1235. Did he say those words that you have given together, or were they what you collected from the general conversation?—Together.

1236. Are you sure of that?—That portion of it.

1237. Are you sure of that?—I think so.

1238. Are you quite certain about it?—I walked from the parlour into the kitchen, and I repeated the same words that I have said here to the servant.

1239. That does not quite answer the question I put to you. Do you recollect whether those words were said collectively or connected together, or have you got the general purport of the conversation?—I have told you just as he said them to me.

1240. Are you quite sure?—I am quite sure of that portion of the subject.

Examined by the *Committee.*

1241. The first time that Mr. Merry called he was accompanied by Mr. Mitchell and by Provost Adam, was he not?—Yes.

1242. And the last time he was accompanied only by Provost Adam, when you saw him alone?—I did not see Mr. Merry more than once.

1243. That was the only occasion on which you saw him?—Yes.

The Witness withdrew.

George Galbraith, sworn; Examined by Mr. *Edwin James.*

1244. ARE you a labourer, residing at Lorriston, near Falkirk?—Yes. *G. Galbraith.*

1245. Had you a vote at the last election?—Yes.

1246. You vote at the district of Falkirk?—Yes.

1247. Do you remember before the polling day receiving a message that some gentleman wanted to see you?—Yes.

1248. Where did the message say that he was?—In a public-house in Lorriston.

1249. What are you?—I am a labourer and a spirit-dealer. I was a labourer at that time, but I am a spirit-dealer now.

1250. Did you go down to the public-house after having received this message?—Yes.

1251. *Committee.*] What public-house did you go to?—Mrs. Walker's, in Lorriston.

1252. Mr. *Edwin James.*] You went down to this public-house?—Yes.

1253. Did you find there a person of the name of Baird and a man you afterwards discovered to be Alexander Scouller?—Yes.

1254. Had you known Scouller?—I knew him a good number of years before;

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before; it may have been 20 years before; but I was not aware at the time, until he told me, that he was Scouller.

1255. Did you find out afterwards that Scouller was working at Mr. Merry's ironworks?—He told me himself.

1256. Did Scouller say anything to you about your vote?—Yes; he asked me for my vote.

1257. For whom?—For Mr. Merry.

1258. What did you tell him?—I told him that I had pledged myself for Mr. Baird, and I was not going to do it.

1259. That you were not going to vote for Mr. Merry?—No.

1260. Was it the fact that you had pledged your vote for Mr. Baird?—Yes, that same night.

1261. To whom had you pledged your vote for Mr. Baird?—Mr. Forbes, of Callendar.

1262. He is one of the petitioners?—Yes.

1263. Did he say anything more about your vote?—No; I said I would not give it.

1264. Did he make any offer to you of any kind?—He said, "Never mind anything about pledging myself to Mr. Forbes, for all Mr. Forbes could do would be to pay me off, and Mr. Merry would employ me if I gave it to Mr. Merry.

1265. Were you working for Mr. Forbes?—Yes.

1266. What did you say after he pressed you in that way?—I said I would not do it; after I had promised I was not going to break my promise.

1267. When you had said that you would not break your promise, did Scouller make any other proposal to you?—Yes; he wanted me to go away out of the place, and not vote at all, if I would not give it to Mr. Merry. He wanted me to go into Ayrshire, and he would give me a week's hurling in gigs or coaches up and down in Ayrshire.

1268. A week's travelling?—Yes.

1269. You were to drive up and down in coaches?—In Ayrshire for a week, and it would cost me nothing.

1270. *Committee.*] That he would give you a week's pleasuring?—Yes.

1271. Mr. *Edwin James.*] What did you say to the proposed week's hurling?—I said I would not do it.

1272. Did you learn from him whether Mr. Merry has any works in Ayrshire?—Yes; he told me had ironworks in Ayrshire.

1273. Is that where you were to go?—Yes.

1274. How long were you to go for?—A week.

1275. Was anything said about this Mr. Bain, whom you found at a public-house, going with you?—Yes; that he would go with me. He was not going to vote; but if I would go away and not vote, Bain would go with me.

1276. *Committee.*] Who said this?—Thomas Bain and Alexander Scouller.

1277. Which of them said that Bain would not vote?—Bain said he was not going to vote.

1278. And if you went for a week's pleasure he would go with you?—He said he would pair off with me.

1279. Was Bain going to vote for the other side?—I do not know

1280. What did Scouller say then?—Scouller said that he would give me a week's hurling up and down Ayrshire.

1281. Which of them said this, about Bain going with you?—Bain said it himself.

1282. Mr. *Edwin James.*] In Scouller's presence?—Yes.

1283. Do you know whether Bain did vote or not?—No; I think he said to me after that that he was not in Falkirk that day.

1284. *Committee.*] That is the day of the polling?—Yes.

1285. Mr. *Edwin James.*] You refused this?—Yes.

1286. How did you vote?—I voted for Mr. Baird.

1287. You kept your word?—Yes.

1288. Before you voted for Mr. Baird, did you see Scouller?—That day that the polling was?

1289. Yes.—No, I did not see Scouller any more after that night.

1290. You were served with a Speaker's warrant to come up before this Committee, were you not?—Yes.

1291. After

1291. After you were served with the Speaker's warrant, did Provost Adam call upon you?—Yes. *G. Galbraith.*

1292. When was that?—I could not exactly say the time; but it may be within this fortnight, or thereby, I think. 18 July 1857.

1293. Where did Adam call upon you after you had been served with the Speaker's warrant?—At my own house.

1294. Had you known Provost Adam before?—Yes, I knew the man when I saw him.

1295. What did Provost Adam say to you?—

[The Witness withdrew.

Mr. *Phinn* submitted that a statement by Provost Adam to the witness, after the election, was not evidence against the Sitting Member.

Mr. *James*, in answer to the objection, submitted that it was immaterial when the statement was made, if it had reference to a transaction which occurred at the election.

Mr. *Phinn* was heard in reply.

The *Committee* overruled the objection.

George Galbraith, again called in; and further Examined by Mr. *Edwin James*.

1296. DID you see Mr. Adam?—Yes.

1297. Did he call upon you?—Yes, but I got two papers from the Speaker. *G. Galbraith.*

1298. You had been served with the Speaker's warrant?—Yes.

1299. How long ago is it that Mr. Adam called upon you?—I took no notice of the time.

1300. *Committee.*] You said about a fortnight?—As near as I can recollect.

1301. Mr. *Edwin James.*] Did you tell Mr. Adam, when he asked you about it, what had passed between yourself and Scouller?—Yes, a great part of it.

1302. Did you tell him the substance of what you have told the Committee to-day; what did you tell him?—I told him that Scouller wanted me to vote, and that he wanted me to go away.

1303. Did you tell him the substance of what you have told the Committee?—Yes, I did, the substance of it.

1304. What did he say to you?—He said that he supposed it was merely a bit of fun, and I said I did not think it was fun, and that I thought if they got what they wanted, it would have been no fun at all.

1305. Did he say anything about Mr. Merry and his seat?—Yes; he said he did not doubt but they would manage to unseat Mr. Merry, but if they could not, they would manage to put him out from standing as a candidate again.

1306. Did he say anything about his agents?—No; I do not think there was much more said of consequence.

Cross-examined by Mr. *Phinn*.

1307. Where was it you saw Provost Adam?—In my own house.

1308. Where?—In Lorriston.

1309. Scouller was an old friend of yours, although you had not seen him a long time?—Yes.

1310. How long was it?—It may be 12 or 15 or 20 years.

1311. Did you have a drop of whiskey over your meeting?—Yes.

1312. How many drops?—I could not say. There was some in the house when I got in, between Mr. Bain and him, and some more called in after I did go in.

1313. Had you a good drop of whiskey?—I tasted a part of whiskey and a part of toddy.

1314. Then you were all pretty jolly together?—I did not stop long, for I was not going to do what they wanted me to do.

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1315. Did you have a talk over old times with him?—Very little.

1316. Did this that you told the Committee pass between you before you had the whiskey or afterwards?—It was just after I tasted the whiskey.

1317. Did you make a pretty good taste of it;—I do not know.

1318. You had a good drop, had you?—I took a wee drop.

1319. Was there a good deal of laughing and talking?—There was. I think I cannot say any more about it.

Re-examined by Mr. *Edwin James.*

1320. Did you pay for this drop of whiskey?—No, I paid nothing for it.

1321. Who paid?—I saw Scouller pay.

Examined by the *Committee.*

1322. You say Mr. Adam said it was a bit of fun?—Yes.

1323. Did he seem to think there was anything in it?—I really could not say.

1324. Did he treat it seriously?—When I said there was no fun in it, he said "Did you think they were in earnest," and I said they were.

[The Witness withdrew.

[Adjourned till Eleven o'clock, on Monday.

Lunæ, 20° *die Julii*, 1857.

SIR JOHN S. PAKINGTON IN THE CHAIR.

The Names of the Committee were called over; all Present.

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THE room was cleared.

After some time, the Counsel and parties were called in.

The *Chairman* stated that he had been requested by the Committee to suggest to the learned Counsel, whether, after the evidence of bribery with regard to the cases of Quigley, Wyse, and Lyons, and the evidence of treating at the Commercial Inn at Lanark, and the evidence to establish the agency of Provost Adam, it would be desirable that the Counsel for the Sitting Member should consider how far they were in a position to meet the evidence which had been adduced. It would be distinctly understood, that if this suggestion were acted upon, and the Counsel for the Sitting Member were successful in rebutting the evidence, the Petitioners would be at liberty afterwards to proceed with other cases.

Mr. *Edwin James* stated that he wished to call two other witnesses upon the Falkirk cases.

Alexander M'Laren, sworn; Examined by Mr. *Edwin James.*

A. M'Laren.

1325. I BELIEVE you are a waiter at the Ship Hotel, at Edinburgh?—Yes.

1326. Did you act as waiter at the Red Lion hotel, at Falkirk, during the election?—I did.

1327. Were

1327. Were you a waiter at that inn during the whole period of the election?—Yes.

1328. Do you remember Mr. Merry's committee sitting at the Red Lion?—I do.

1329. Do you know by whom the rooms were engaged?—They were engaged, as far as I know, by Mr. Burns.

1330. Is he of the firm of Burns and Maclean, of Glasgow?—I do not know what the firm is.

1331. Is he a writer to the signet?—He is.

1332. Do you know Provost Adam?—Yes.

1333. Did you see him in those committee-rooms from time to time during the election?—Several times. I have seen them dining together.

1334. Did you see him there with Mr. Merry?—Yes.

1335. Do you know Mr. Hadderwick?—Yes.

1336. Have you seen him with Provost Adam and Mr. Merry?—Yes.

1337. In company together?—Yes.

1338. Who used to pay for the dinners?—The dinners were never paid for, as far as I know.

1339. Were there dinners every day?—Not every day.

1340. How frequently were there dinners?—Three or four days; a few of them met and had dinner.

1341. *Committee.*] How many of them?—I have seen as many as six or eight there.

1342. Mr. *Edwin James.*] Do you know James Wyse, an ironmonger?—Yes.

1343. Have you seen him dining there?—Yes.

1344. Frequently?—Not frequently.

1345. Henderson, a writer; have you seen him dining there?—Yes.

1346. Somerville, a confectioner?—Yes.

1347. Have you seen him dining there?—No.

1348. Miller, a grocer?—No.

1349. Cochrane, an ironmonger?—No, he did not dine there, but he has had refreshment there.

1350. Gartshaw?—He did not dine, but he had refreshment, as far as I recollect.

1351. Besides the dinners, were there refreshments furnished there?—There were liquors.

1352. Every day?—Every day that they met together.

1353. More than once in the day; lunch time, or supper, or dinner, or what?—I have seen them there perhaps at one or two o'clock, and sitting very late at night.

1354. And refreshment and liquors going in?—Yes.

1355. Every night?—Yes.

1356. Have you seen persons whom you knew to be voters brought in and have liquor there?—I could not tell who were voters, and who were not.

1357. Have you seen many people there having refreshments?—I have seen parties coming in, and asking for Mr. Merry's committee-room; and of course they would get what they wanted.

1358. Have you seen people come in there, and ask for the committee, and have refreshment?—Yes.

1359. You say they got what they wanted?—Yes.

1360. Did they pay?—No; they did not pay, as far as I know.

1361. Did they pay you, or do you know that they paid?—I do not know that they paid.

1362. *Committee.*] Did you think it necessary to ask them to pay?—No. I asked Mr. Burns several times who we were to put such a thing down to when they gave an order, and he would say, to Mr. Merry's committee.

1363. When these refreshments were given Mr. Burns told you that?—Yes.

1364. Mr. *Edwin James.*] Have you reported that to the landlord, in compliance with those instructions?—Yes; I gave the order accordingly.

1365. How often did this go on, that people came in and had refreshment, and you reported to the landlord that it was to be put down to Mr. Merry's committee?—Mr. Burns was there a good few days at one time; he used to have

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have a good few friends meeting with him, and I think he was there one time for two or three days; whatever he ordered it was always put down to the number of the committee-room.

1366. On the polling day did many people have refreshment in that way?—I could not tell how many had refreshment.

1367. Did many have refreshment?—Yes.

1368. How many should you be safe in telling the Committee had refreshment on the polling day, which was put down in that way to Mr Merry's committee?—There were some refreshments sent out from our house to the polling booth, on the polling day?—I could not tell how many were there that day; there was some wine; some whiskey, as far as I recollect; some sandwiches, and so on.

1369. Where were they sent?—They were sent to the polling booth.

1370. I am asking about people coming to the Red Lion, and having refreshment on the polling day, which you told the landlord to put down to Mr. Merry's committee; what number should you say?—I should say perhaps 20 or 30.

1371. *Committee.*] That is, besides those who had refreshment at the booth?—Yes.

1372. Mr. *Edwin James.*] Were there refreshments laid out?—Nothing was laid out.

1373. What refreshments did they have?—They had just what they asked for.

1374. Spirits?—Spirits, wine, or whatever they asked for in that way.

1375. Did they have just what they wanted, or were they limited in quantity;—Just what they wanted; they were not limited.

1376. Do you not know who they were at all?—There were lots of strangers; I could not mention their names.

1377. You do not know whether they were voters or not?—No.

1378. Did that go on at any time of the day, on the polling day, or was it limited to any particular time?—About two o'clock they commenced to come in and get refreshment.

1379. Until how late an hour at night did they go on on the polling day?—It was pretty late.

1380. Tell the Committee?—I should perhaps say 11 or 12, or one o'clock in the morning.

1381. Can you tell the amount that was distributed on the polling day?—I cannot tell.

1382. Can you form any judgment of the quantity of liquors and wines, and so on, that you saw these people have, and that you told the landlord to put down to Mr. Merry's committee?—I could not form any opinion of the expense.

1383. Was it large or small?—It was rather large, I should say.

Cross-examined by Mr. *Rodwell.*

1384. That wine and whiskey, as you call it, that was taken out and sent to the polling booth, was for the check clerks?—I do not know who it was for. It was for Mr. Merry's party.

1385. Mr. Burns stayed at the hotel, did he not, two days?—Yes.

1386. And he told you to put down what he had, and the refreshments which were supplied when he was in the room, to the committee?—Yes; to Mr. Merry.

1387. You say it was two o'clock when people came?—Thereabout.

1388. The poll was closed at four o'clock, I suppose?—At four o'clock the poll closed.

1389. Is the landlord here?—He is here.

1390. You mentioned one or two names; I think you mentioned Mr. James Wyse; what is Mr. James Wyse?—He is an ironmonger.

1391. A man in a large business?—Yes; he has a good large business. There are two Wyse's.

1392. James Wyse, is the name you gave?—Yes.

1393. And, I think, a man of the name of Henderson?—Yes.

1394. What

1394. What is he?—He is a writer.

1395. Mr. Cochrane, you say, had some refreshment, but did not dine?—He did not dine, but he had some refreshment.

1396. What is he?—He is an ironmonger.

1397. Can you tell me what refreshment he had?—He had some whiskey toddy.

1398. Some lunch?—Not lunch.

1399. I think you tell me, that on the polling-day between between 20 and 30 people came into the house and had refreshments?—Yes.

1400. *Committee.*] Did I understand you to say, that you saw Provost Adam at these committee-rooms with Mr. Merry?—Yes.

1401. Did they dine there together?—Yes.

1402. Were there a large number dining there, or having refreshments there, at that time?—The most I have seen there is about six or eight, I should say.

1403. Were the 20 or 30 that you said came into the Red Lion for refreshment introduced by anybody?—No.

1404. How did you know who they were, and that you had a right to give them refreshment?—They would inquire for Mr. Merry's committee.

1405. You considered that you had authority for giving them what they wanted, and putting it down to the committee?—There were some who paid, and some who did not pay; that which was not paid for was put down to Mr. Merry's committee.

1406. As a matter of course?—Yes.

1407. Did people get very drunk there during the time?—I did not see them very drunk.

1408. You saw no persons drunk?—No; I have seen them sitting up pretty late at night, but never drunk.

Re-examined by Mr. *Edwin James.*

1409. How much toddy can a Scotchman take without being drunk?—It depends.

1410. Generally, how many glasses?—I have seen him take as much as five or six glasses.

[The Witness withdrew.

John Scott, sworn; Examined by Mr. *Edwin James.*

1411. I BELIEVE you, at the time of the election, were the landlord of the Red Lion hotel, at Falkirk?—Yes.

1412. Was Mr. Merry's committee held there?—Yes.

1413. I observe that you have a charge for committee-rooms; 17 days at two guineas per day?—Yes.

1414. £.35 14*s.*?—Yes.

1415. Who engaged those rooms for the committee?—Provost Adams and Mr. Wyse, the ironmonger.

1416. *Committee.*] Is that Mr. James Wyse?—Yes.

1417. Mr. *Edwin James.*] Is that in your handwriting (*handing a paper to the Witness*)?—No.

1418. Is that an account sent in to the auditor?—No.

1419. Is not that an account sent in to the auditor?—No.

1420. Is that account in your hand an account which you gave to Provost Adam to send in to the auditor?—No.

1421. Do you know in whose handwriting it is?—No.

1422. *Committee.*] You say that is not an account which you sent in to the auditor?—No.

1423. Do you know who wrote it?—No.

1424. Whom did you send your account to?—Provost Adam.

1425. Is that your billhead?—Yes.

1426. Mr. *Edwin James.*] Do you know in whose handwriting it is?—

1427. *Committee.*] In whose handwriting is the receipt?—I do not know.

 1428. Did

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1428. Did not you receipt it?—Yes.

1429. Is "John Scott" your handwriting?—Yes.

1430. But not the other words?—No.

1431. The only words in your handwriting are "John Scott"?—Yes.

1432. Mr. *Edwin James.*] Is that account which the Chairman has in his hand, and which purports to be your bill sent in to the election auditor, made out by you, or by any person connected with you?—It is neither made out by me, nor by any person connected with me.

1433. Did you make out a bill of the expenses at the Red Lion, for the purpose of being sent to the auditor, and give it to Provost Adam?—No.

1434. Is that bill before you the bill you made out or not?—It is not.

1435. Did you give Provost Adam any authority to alter your account in any way?—No.

1436. Is the amount the same?—No.

1437. As I understand, that account, produced from the papers of the election auditor, is not your own?—No.

1438. Did you ever see that account before it was sent in to the election auditor?—I never saw it before I receipted it.

1439. How could Provost Adam, or anybody else, who made out that account, get one of your bill-heads or invoices?—I do not know how they might get that.

1440. *Committee.*] You have receipted that bill?—Yes.

1441. And you received 60 *l.* 7 *s.* at the time of your receipting it?—Yes.

1442. That bill is for horses and carriages, at the nomination, election, and declaration, and for committee-room, 17 days, at two guineas, and for the waiter, and the drivers?—Yes.

1443. Did you receive any other money, for any other bill, at the time you receipted that?—No.

[*The Bill above referred to was put in, and was as follows:*]

Wm. Burns, Esq., Election Agent, *James Merry*, Esq.

Red Lion Hotel, Falkirk, *John Scott.*

1857.		£.	s.	d.
April 1:	Horses and carriages engaged at nomination, election, and declaration - - - - - - - -	16	10	–
	Committee-room, 17 days, at 2 *l.* 2 *s.* per day - -	35	14	–
	Waiter - - - - - - - - - -	3	–	–
	Drivers - - - - - - - - - -	2	5	–
		57	9	–
March 14:	Amount of account formerly rendered - - - -	2	18	–
	£.	60	7	–

Received payment from Election Auditor,

Falkirk, 26 May 1857. *John Scott.*

1444. Mr. *Edwin James.*] Turn to that account (*the Witness produced a book*); is this the original entry from which you made that account which you delivered to Provost Adam?—Yes.

1445. From this book?—Yes.

1446. Did you make it out just as it is here?—No.

1447. How then?—There was an account sent in for 2 *l.* 18 *s.*, if I am not mistaken; and then the rest was put in, for refreshment, so much; for horses and carriages, so much; drivers, so much; waiter, so much; and room, so much.

1448. I observe, in that account there is no account to Provost Adam for refreshments at all?—No.

1449. Now, I have got your book: "Merry's committee, 22 *l.* 17 *s.* 7 *d.*;" what is the meaning of that?—That is a mistake.

1450. *Committee.*] What do you mean by "a mistake"?—Instead of carrying it to the right hand, my wife carried it to the left hand page.

1451. Do you mean, that money was not due by Mr. Merry's committee?—It was due.

1452. It

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1452. It appears again?—Yes.

1453. Mr. *E. James.*] You begin with, "Wine, 15 *s.*; dinner, 2 *s.*: dinner, 3 *s.* 6 *d.*; brandy, 9 *s.*; whiskey, 1 *s.*; suppers, 6 *s.* 2 *d.*; lodging," and so on; and then, "Suppers, brandy, carriage," and so on?—Yes.

1454. "Brandy," "Dinners," "Brandy;" and so it goes on; "Dinners, "Wine," "Wine," "Sandwiches," "Wine," 2 *l.* 8 *s.*?—Yes.

1455. "Wine and brandy, 1 *l.* 4 *s.* 10 *d.*," and so it goes on; is not nearly the whole of this, which amounts on the face of it to 35 *l.* 3 *s.* 11 *d.*, for wine, brandy, and champagne?—Yes.

1456. Besides this bill of 60 *l.*, which you have received, have you any other claim?—There is a balance standing.

1457. How much?—£. 35.

1458. Beyond the 60 *l.*, to which it appears you have put your receipt on that bill?—Yes.

1459. Is that 35 *l.* still due, which I have read for refreshments?—Yes.

1460. The 35 *l.*, which I have been giving to the Committee as all for refreshment, is now due to you, beyond the 60 *l.*?—It is due to me, some way or other.

1461. You have entered it to Mr. Merry's committee in your own book?—Yes.

1462. Who is your debtor?—I cannot say who is my debtor.

1463. Why not?—Many ordered things there that Mr. Merry's committee did not order.

1464. You have entered it in your book to Mr. Merry's committee?—Yes.

1465. Do you mean to tell the Committee that you do not know from whom your claim is due?—I do not know.

1466. Who gave the order for all these wines, and brandy, and champagne?—Mr. Gilmour, from Glasgow, a good deal.

1467. Is he a nephew of Mr. Merry's?—Yes.

1468. Did you send in the account for that 35 *l.*, in addition to the 60 *l.*, to Provost Adam?—Yes.

1469. Then he altered your bill and put down 60 *l.*, omitting the refreshments; or somebody did it?—Yes.

1470. You sent in the 35 *l.* to Provost Adam with the receipt?—Yes.

1471. What did Provost Adam say when you sent in the bill, including all the refreshments?—He said nothing to me before he gave me the 60 *l.*

1472. Did he repudiate it in any way?—No.

1473. *Committee.*] What did he say?—He said that was 60 *l.* for horses and carriages, and waiters and rooms.

1474. Did he say nothing about the other 35 *l.*?—No.

1475. Mr. *Edwin James.*] Did not you?—No.

1476. Did not you say, "I have sent you a bill for 35 *l.* beyond the 60 *l.*, and this is not my bill"?—I never mentioned the thing to him.

1477. Why not?—I do not know; it just escaped my memory at the time, I believe.

1478. Do you tell the Committee that, upon your oath; be careful, for it is not worth 35 *l.*; I tell you again to be careful; do you mean to tell the Committee that when your bill was put before you, not your own bill, but a bill as altered by somebody else, and you received 60 *l.*, you did not say a word about the other 35 *l.*?—I am not aware that Provost Adam said anything to me at the time.

1479. When you found your receipt asked to a bill of 60 *l.*, which you had not made out, and had delivered to Provost Adam a bill for 95 *l*, do you mean to swear before this Committee that you said nothing about the balance of 35 *l.*?—I think I went down stairs, as I recollect now, to see if the balance and the money I got from him corresponded, and it did; there was not another word passed.

1480. You have not received a farthing of this 35 *l.*?—No.

1481. You sent that in to Provost Adam?—Yes.

1482. Did not you say, when he asked for your receipt for 60 *l.* to a bill, not made out by you, "Where is my balance of 35 *l.*"?—I never asked him for it.

1483. Did you say anything about it?—I went down stairs, to see whether my book and the money I was going to get corresponded; and they did correspond. That is all that passed on the day I got the money.

 1484. That

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1484. That is the 60 *l.* in this book?—I never entered it as paid.

1485. Where is the charge of the 60*l.*?—You will find 35 *l.* 14 *s.* for suppers; 3 *l.* for a waiter; horses and carriages, 16 *l.* 10 *s*; drivers, 2 *l.* 5 *s.*

1486. Then Provost Adam, or whoever made out that account, has taken those items from your Bill, and omitted the 35 *l.*?—I do not know. That is not the bill I sent in.

1487. *Committee.*] When you sent in the bill to Provost Adam, was the 35 *l.* included in the same bill, or did you send two separate accounts?—It was all in one bill.

1488. Mr. *Edwin James.*] And you gave him no authority to alter your bill in any way?—None.

1489. Do you adhere to your statement before the Committee, that when he got your receipt for 60 *l.*, you said nothing, or that nothing was said about the balance of 35 *l.*?—I came down stairs, to see if the book and the money I was going to get corresponded, which it did; and I went up-stairs to get the money, and receipted the Bill.

1490. Was nothing said about payment of the balance?—Nothing.

1491. Will you swear that?—I think I can.

1492. Will you swear it?—I think so.

1493. Will you swear it?—Yes.

1494. Has nothing been said to you?—It is not within my memory, at the present moment, that anything was mentioned about the bill.

1495. Has nothing been said to you since about your 35 *l.* balance for the refreshments?—I think I was told by Provost Adam, it was very likely I would get nothing.

1496. Have you sent in, since, a bill for that 35 *l.* to Hadderwick?—Yes; I sent in a detailed account, as it stands in the book.

1497. Since you received the 60 *l.*, have you sent in a bill to Hadderwick for the 35 *l.* which was struck out by Provost Adam from your account, and a new one made out?—Provost Adam asked me to give a detailed account, which I did.

1498. When did Provost Adam ask you for that?—Eight days ago, I think.

1499. Have you sent in that to Hadderwick?—Yes.

1500. *Committee.*] Who asked you, eight days ago, for the detailed account?—Provost Adam.

1501. Mr. *Edwin James.*] Did Provost Adam tell you to send it to Hadderwick?—He asked me to get the detailed account made out, and he would call for it.

1502. Provost Adam would?—Yes.

1503. What did you say then?—Mr. Hadderwick got it.

1504. Did you tell him so?—Yes.

1505. What did Provost Adam say to that?—Nothing.

1506. Had you sent in an account of this 35*l.* for the brandy, and so on, to Hadderwick?—Hadderwick got it.

1507. Had you sent it in to Hadderwick?—Previously.

1508. Before Provost Adam called?—Yes.

1509. You have sworn, that when you signed your name to that receipt for 60*l*, you said nothing about the balance; how came you to send in an account for refreshments which Provost Adam had struck out of your first bill; how came you to send that to Hadderwick?—I was asked to send it.

1510. Who asked you?—Provost Adam.

1511. Eight days ago?—Yes.

1512. And then you made it out to Hadderwick?—I made it out to Mr. Merry's committee.

1513. How came you to send it to Hadderwick?—I am sure I do not mind. I think Mr. Hadderwick happened to be in the house, and I just gave it to him.

1514. Then you told Provost Adam you had given it to Hadderwick?—Yes.

1515. What did he say?—Nothing.

1516. Was that after you had been served with the Speaker's warrant?—Yes.

1517. After you had been served with the Speaker's warrant, Provost Adam called on you, and asked you to send in a detailed account of the 35*l.* to Hadderwick?—He called on me, and asked me to make out a detailed account, and he

he would call for it, but Mr. Hadderwick happened to be in the house, and I gave it to him.

1518. *Committee.*] When was it that Provost Adam told you he thought it very likely you would never get the money?—Eight days ago, I think.

1519. Is that eight days ago?—I think so.

1520. Do you mean that he called upon you at the same time, and told you that you would never get the money, and also told you to make out a detailed account?—Yes.

1521. All at once?—Yes.

1522. Are you serious in telling the Committee that?—Yes.

1523. Do you mean, at the same interview, the same man told you to make out a detailed account and send it in, and at the same time told you that you would never get the money?—Yes.

1524. What did you say when he told you that you would very likely never get the money?—I do not know what I said.

1525. Have you ever seen your original account, which included the 35 *l.*, which you sent in to Provost Adam, since you gave it to him?—No.

1526. You have never seen it?—I have never seen it.

1527. Mr. *Edwin James.*] When Provost Adam asked you to send to Hadderwick a detailed account, did you not say to him, "Why, you had it with my original bill"?—It was not detailed.

1528. What was the charge?—Just the sum of 35 *l.*

1529. What for?—For refreshments.

1530. Was it under the head of "refreshments"?—Yes.

1531. Did Provost Adam ask you to send in a detailed account of the refreshments; and say that he would call for it?—Yes.

1532. Was nothing said about the payment?—No.

1533. Do you mean to swear that?—Yes.

1534. Had you got the Speaker's warrant?—Yes.

1535. Did Provost Adam know that?—I do not know.

1536. Did you tell him you had got the Speaker's warrant?—I believe I had got the warrant.

1537. Did you tell him you had got it?—Yes.

1538. Then after you had told him you had got the Speaker's warrant, he told you to make out an account to Hadderwick?—He did not say, "Make it out to Hadderwick."

1539. Was it after Provost Adam knew that you had got the Speaker's warrant, that he told you to make out a detailed account, and that he would call for it?—I believe it was.

1540. Did he call for it?—Yes; he called for it.

1541. What did you tell him when he called for it?—I told him I had given it to Hadderwick.

1542. Have you seen Hadderwick since you gave him the account?—Yes.

1543. What has he said to you?—He never spoke about it.

1544. Have you been paid it?—No.

1545. Do you mean to tell the Committee that you do not look for payment from Mr. Merry's committee?—Who am I to look to for it?

1546. I ask you if you look for payment of it?—I should like it very well if I could get it.

1547. When Provost Adam told you to make out a detailed account, and that he would call for it, what did you understand by that?—I do not know.

1548. Do you mean to swear that you do not know what he meant, or what he meant you to infer, from his asking you to make out a detailed account, and that he would call for it?—He never spoke about giving me money.

1549. Is Hadderwick in the room to-day?—Yes.

Cross-examined by Mr. *Rodwell.*

1550. Will you point him out?—He was in the passage when I came in.

1551. You do not see him in the room?—No.

1552. If I understand you, when you sent in the bill to Provost Adam in the first instance, there were lump sums charged for carriages, lump sums for refreshments,

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refreshments, and a lump sum for the hire of rooms, without any details?—Yes.

1553. You then received the payment for that bill which has been put in?—Yes.

1554. That is excluding the refreshments?—Yes.

1555. That is the bill you received, and adopted by receipting it?—That is for horses and carriages.

1556. And the hire of the rooms?—Yes.

1557. It is this bill, in point of fact, without the refreshments?—Yes.

1558. You say that nothing was said about payment the other day, when Provost Adam called upon you, and asked you for the details?—No.

1559. Was nothing said about your being paid?—He said, it was very likely I would not get it.

1560. Did you not learn from him, at the time, for what purpose that detailed account was required?—No, I did not.

1561. Was Mr. Baird's committee sitting at this house, at the same time?—Yes.

1562. Did you enter refreshments that were supplied to his friends, in the same way that you did to Mr. Merry's committee?—Yes, and you will see it stands in the book, in Mr. Wilson's name.

1563. Who gave you any authority to put items of refreshment down to Mr. Merry's committee?—The committee dined occasionally.

1564. I ask you, had you any authority from Provost Adam, or from Mr. Burns, or from any one else, to put the articles down, and to charge Mr. Merry's account with them?—The first item is by Mr. Burns' order.

1565. Was that ordered for himself?—It would appear so; for he made me make out the account at that time, and I gave it him, and I gave him a full copy.

1566. The first item is "horses and carriages"?—Yes.

1567. Was that for Mr. Burns?—For Mr. Merry.

1568. The next item is "horses and carriage to Linlithgow and back"?—Yes.

1569. I ask you, not for those articles, but I ask you, with regard to the refreshments supplied, did any one authorise you to put those articles down to Mr. Merry or to Mr. Merry's committee?—Provost Adam told me to put them down.

1570. *Committee.*] To put what down?—To put down some of the items in the book.

1571. For refreshments?—Yes.

1572. Can you at all distinguish those items which Provost Adam authorised you to put down in the book?—No; I do not think I could.

1573. You do not mean to represent that those various articles supplied, wine, brandy, and other things, Provost Adam gave you orders to put them down to Mr. Merry's committee?—He did not order them all.

1574. Were there gentlemen who came in and had their dinners, four and six at a time, whose dinners you have charged to Mr. Merry's committee?—Yes.

1575. Were they strangers?—Some of them were strangers; Provost Adam and Mr. Hadderwick were along with them.

1576. You have told my friend, I think, that you have not been promised payment of this 35 *l.* by any body?—No.

1577. Unless you had Provost Adam's orders to prepare the details, would you have done so?—No.

1578. Did Mr. Hadderwick, at the time you gave it him, inform you what the detailed account was prepared for, or why it was required from you?—He said nothing about it when I gave it him.

1579. Was the detailed account prepared from the book to which you have referred?—Yes.

1580. It was strictly correct?—Yes.

1581. I ask you again, in order that there may be no mistake (and I will give the language very clearly), at the time you were asked for the details of this account, nothing was said to induce you to believe that those details were procured for the purpose of paying you?—No.

1582. But, on the contrary, you were told that it was likely that you would not be paid?—Yes.

1583. *Committee.*]

1583. *Committee.*] I think you stated, that Mr. Baird's committee was sitting at your house at the same time?—Yes.

1584. Are you a voter?—No.

1585. You did not vote for either party?—I voted for neither party.

1586. At the time your rooms were engaged by Mr. Merry's committee, did anything pass as to the way in which you should send in your account?—At the time they were occupied?

1587. At the time Provost Adam and Mr. Wyse engaged your rooms, did you have any understanding with them as to the way in which you should be paid for the use of those rooms?—No.

1588. Nothing was said as to whether the account for the rooms and the account for refreshment should be kept separate?—Nothing.

1589. Nothing passed?—Nothing.

1590. When was it that Mr. Gilmour called upon you?—He was there two or three different days.

1591. Did I rightly understand you to say, that Mr. Gilmour gave orders for dinners and refreshments?—Gilmour gave orders.

1592. Did he order any particular dinner, or did he give you a general order to supply dinners?—No.

1593. What were the orders that Mr. Gilmour gave you?—Soda-water and brandy and cigars.

1594. For himself?—Yes.

1595. For nobody else?—There were people there.

1596. Did he give you orders to supply soda-water, brandy, and refreshments?—He went out of the room and called for it.

1597. Whether he was there or not at any particular time, or at all times during the election, did he give you orders to supply refreshments to the voters or to other persons?—No, I never put anything down, except Mr. Gilmour was there and ordered it.

1598. What were his orders?—Sometimes cigars, sometimes soda-water, sometimes brandy, and sometimes ale.

1599. For more than one person?—No. Perhaps there was some person with him.

1600. Since you first sent in this bill, has Provost Adam at any time told you that many of the things were not ordered, and they could not be paid for, as they were not supplied by the authority of Mr. Merry's committee?—Provost Adam said it was very likely I would not get it.

1601. He has never used any other expression?—No.

1602. When Mr. Gilmour gave you these orders, did you charge them to Mr. Merry's committee?—Yes.

1603. You did not suppose that Mr. Gilmour was going to pay for those things himself?—No; I did not think it at the time. Mr. Gilmour would come in and order this and that, and then perhaps would go out. Perhaps there would be one or two persons with him, strangers from Glasgow. Mr. Gilmour was very displeased at my putting the items he ordered into Mr. Merry's bill.

1604. Mr. *Rodwell.*] Did Mr. Gilmour come with a friend, a stranger to the place, from Glasgow; at the time he came to Falkirk, was there a stranger with Mr. Gilmour?—I think there was.

1605. When he asked for this brandy and soda-water, and cigars, was it for himself and the friend who was with him; or was it an express order given to supply any one?—It was just for himself and the friend with him.

Re-examined by Mr. *Edwin James.*

1606. Have you entered in your book the whole charge for these refreshments, under the same head that you have entered the horse hire, and the carriages, and so on?—Yes.

1607. Take the charge on the polling-day: wine 12*s.*; sandwiches 12*s.*; lunch 6*s.*; wine 18*s.*; dinner 7*s.* 6*d.*; ale 1*s.*; wine 6*s.*; dinners 7*s.* 6*d.*; brandy 9*s.*; wine 30*s.*; wine 10*s.* 6*d.*; whiskey 3*s.*; wine 6*s*; cheese and bread 10*s.*; brandy 2*s.* 3*d.*; wine 12*s.*; wine 12*s.*; toddy 2*s.* 6*d.*; wine 12*s.*; wine 12*s.*; wine 12*s.*; wine 6*s.*; on the polling-day who had all that?—The greater portion of that went to the booth.

1608. What booth?—The polling-booth.

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1609. Did it not go to another private room, where there was a committee sitting near the booth?—On the polling-day Provost Adam and Mr. Hadderwick had their dinner.

1610. You do not mean to say they drank all this wine, brandy, and whiskey?—No.

1611. Did not people come there who had wine and whiskey, which was put down to the committee?—Mr. Hadderwick sent orders to me to send up wine and sandwiches to the booth, which I did.

1612. Were there people who came there on the polling-day and had glasses of wine, whiskey, and ale, and were you told to put it down to the committee?—It was just like all the rest of the days; whatever went to the rooms, the waiter told me it was for Mr. Merry's committee or Mr. Merry's friends, and I put it down.

1613. I ask you if you yourself did not see people drinking wine and whiskey and beer, who did not pay for it, which you were ordered to put down to the committee?—I was never out of the bar all day.

1614. Mr. Baird's refreshments for his committee and people amounted to 2 *l.* 14 *s.* 2 *d.*?—Yes.

1615. Is that your bill?—Yes.

[*The same was delivered in, and is as follows:*]

Mr. Wilson,
Red Lion Hotel,
Falkirk.

John Scott.

1857:

To amount of account, £. 2. 14. 2.

July 4th. *John Scott.*

1616. Is there a charge to Mr. Baird's committee for committee-room, 2 *l.* 2 *s.* per day; 37 *l.* 16 *s.*?—Yes.

1617. Waiter 1 *l.* 10 *s.*, and carriages, and so on?—Yes.

1618. Was the whole charge for refreshment to Mr. Baird's committee 2 *l.* 14 *s.* 2 *d.*?—That is just the way it stands.

1619. Is the whole of the charge for refreshments of every description, to Mr. Baird's committee, 2 *l.* 14 *s.* 2 *d.*?—Yes; there are the horses and carriages.

1620. Give the refreshments first?—That is the refreshments they got.

1621. What is the total charge for refreshments to Mr. Baird's committee?—2 *l.* 14 *s.* 2 *d.*

1622. Does that charge include a dinner that Mr. Baird had there himself?—Yes.

1623. What is the total amount of charges to Mr. Baird for horses and carriages, and everything?—44 *l.* 6 *s.* 2 *d.*

1624. Is the rent of the rooms 37 *l.*?—Yes; but they only gave me 18 *l.* 18 *s.*

1625. The whole of the refreshment is 2 *l.* 14 *s.* 2 *d.*?—Yes.

1626. Your whole bill is 44 *l.* 6 *s.* 2 *d.*?—Yes.

[The Witness withdrew.

Mr. *Phinn* stated that, having consulted his clients, it had been resolved to leave the case as it stood, in the hands of the Committee.

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Ritchie, William. (Analysis of his Evidence.)—Ironmonger at Lanark, 699——Was one of Mr. Merry's committee at the last election, 700, 701——Explanation of an item in the election auditor's accounts, being a payment to witness for expenses of deputation to Falkirk, 702-707——Explanation of a payment on account of expenses in canvassing, 702. 708-710——Particulars as to the constitution of Mr. Merry's committee; mention of the names of several persons, all voters, who took part in its proceedings, 711-716. 804-825. 847-859——The committee met sometimes at the Commercial Inn, and sometimes at the Meal Market Inn, 717.

Examination as to the part taken by Mr. Lockhart with reference to the proceedings of the committee, the canvassing &c.; he attended the public committee-rooms, but had a private room, as agent, at the Commercial Inn, 718-724. 743-755. 866-872——Statement as to Mr. Merry having canvassed in Lanark before the election, and having attended at the committee-rooms, 725-742. 890-898——Employment of a band of music by Mr. Merry's party, 756-764——Doubt as to the use of flags, 765-774——Circumstance of Mr. W. Browne having on one occasion ordered refreshments for the band, 775-782.

Statement as to some Carstairs voters who were at the Commercial Inn on the day of the election, and dined there in a room with Mr. Browne, 783-803. 931-962——Particulars as to refreshments having been provided, both at the Commercial Inn and Meal Market Inn, for the committee and voters of Mr. Merry, without their being called upon to pay; doubt whether Mr. Lockhart was cognisant of this, 826-842. 872. 925-966.

Witness had some refreshments free of charge, but this had nothing to do with his support of Mr. Merry, 843-846——Statement that the Lanark committee was voluntarily formed, quite irrespective of Mr. Merry, or of the agency of Mr. Lockhart, and that a deputation had gone to Glasgow about a candidate before Mr. Merry had declared himself, 847-865. 873, 874. 903-924. 967-974——Witness did not give, or see any one else give, money, or anything else, with a view to bribing or treating, 875-877——The last election was conducted very quietly, and was more free from excess than former elections, 878-884.

Mr. Lockhart warned the committee on several occasions to abstain from bribing, treating, or any other corrupt practice, 885-889——Sundry extracts from the Act 17 & 18 Vict., and other papers, were distributed about the committee-rooms, and otherwise made public, with a view to the prevention of any corrupt practice; these papers handed in, 899-902.

S.

Scott, John. (Analysis of his Evidence.)—Landlord of the Red Lion Hotel, Falkirk, 1411——Mr. Merry's committee-rooms were at the Red Lion; they were taken by Provost Adam and Mr. James Wyse, 1412. 1415, 1416——The charge for the rooms was 35*l.* 14*s.*; that is two guineas a day for seventeen days, 1413, 1414——With respect to a bill for 60*l.* 7*s.*, as paid to witness through the election auditor, witness states that it was not made out by him or any one in his establishment, 1417-1448.

Examination to the effect, that besides the bill for 60*l.* 7*s.*, which does not include anything for refreshments, a further amount of 35*l.* for refreshments was included in the bill given by witness to Provost Adam, and has not yet been paid, 1432 *et seq.*——Witness entered the refreshments to Mr. Merry's committee, though some of them had not been ordered by any of the committee, 1460-1467. 1561-1575. 1590-1605——Witness does not know to whom he is to look for payment of the 35*l.*; 1462. 1465. 1545-1548.

Report, 1857—*continued.*

Scott, John. (Analysis of his Evidence)—*continued.*

Circumstance of several of the things included in the 35 *l.* having been ordered by Mr. Gilmour, a nephew of Mr. Merry, who came to the hotel with a friend, 1466, 1467. 1590–1605—— In receiving the bill of 60 *l.* nothing was said by Provost Adam or witness relative to the 35 *l.* excluded from the original bill, 1468–1483. 1489–1494——Statement that about eight days ago Provost Adam asked witness for a detailed account of the refreshments, adding that it was very likely he would not be paid; witness subsequently gave this account to Mr. Hadderwick, 1495–1560. 1576–1582.

Mr. Baird's committee also sat at witness's house, and certain refreshments were entered in witness's books against Mr. Wilson, on the part of Mr. Baird, 1561, 1562—— Some of the items charged to Mr. Merry's committee were ordered by Mr. Burns, 1564–1567——Some of the refreshments were ordered by Provost Adam, 1569–1575——Witness did not vote for either party, 1583–1585——When Mr. Merry's rooms were being engaged, nothing was said about the way the accounts were to be made out, 1586–1589——Reference to the charges for refreshment on the polling day; some of these were in respect of the polling booths, 1608–1613.

Statement that the whole of the refreshments for Mr. Baird and his party amounted only to 2 *l.* 14 *s.* 2 *d.*; 1614–1622——There was a charge of 37 *l.* 16 *s.* for Mr. Baird's committee-room, but witness only got 18 *l.* 18 *s.*; 1616. 1624——The whole bill against Mr. Baird or his committee was 44 *l.* 6 *s.* 2 *d.*; 1623–1626.

Scouller, Alexander. Meeting before the late election of witness with Alexander Scouller and Thomas Bain in a public-house in Lorriston, *Galbraith* 1247–1255——Statement as to Scouller having asked witness to vote for Mr. Merry, and, on his refusing to do so, having wanted him to go into Ayrshire for a week, free of expense, so that he might not vote at all, *ib.* 1256–1274——Winess voted for Mr. Baird, *ib.* 1285–1287 ——Statement as to Provost Adam having called on witness after he had been served with the Speaker's warrant; he said he supposed the interview with Scouller was merely a bit of fun, *ib.* 1290–1308. 1322–1324——Circumstance of witness having partaken of some spirits at the interview with Bain and Scouller; he did not pay for it, *ib.* 1309–1321.

State of the Poll. Mr. Merry polled 770 votes and Mr. Baird 490 votes, *Baillie* 7, 8.

T.

Treating. On the Monday witness had, by the desire of Mr. William Browne, some refreshment at the Commercial Inn, Lanark, for which he did not pay, *Quigley* 180–194——Particulars as to witness having had refreshments, free of charge, at the Commercial Inn on the Saturday before the election; other persons were eating and drinking there at the same time, *Lyon* 422–449——On the Saturday witness was taken by William Ritchie to the Commercial Inn, and had some refreshment there, for which he did not pay, *Whiteford* 539–550——Statement as to witness and Daniel Munro, a supporter of Mr. Merry, having on the evening before the election and on the polling day had refreshments at the Commercial Inn, *Bryce* 633–660.

Particulars as to refreshments having been provided, both at the Commercial Inn and the Meal Market Inn, for the Committee and voters of Mr. Merry, without their being called upon to pay; doubt whether Mr. Lockhart was cognisant of this, *Ritchie* 826–842. 872. 925–966——Witness had some refreshments free of charge, but this had nothing to do with his support of Mr. Merry, *ib.* 843–846——Provision of refreshments for some of the committee one evening at the Meal Market Inn, *Gardiner* 983–986——Particulars as to a dinner at the Commercial Inn on the election day, at which some thirty or forty people were present; witness did not pay for what he had, *ib.* 1004–1042. 1049——Witness supported Mr. Merry without any reference whatever to the refreshments which he had free of charge, *ib.* 1043–1048.

Explanation as to witness having driven Thomas Steel, Thomas Snellie, and John Somerville, three voters, from Carstairs to Lanark on the polling day, *Livingstone* 1050–1067——Witness dined at the Commercial Inn in the afternoon, and paid for his dinner, and dined there again in the evening, on which occasion he did not pay; the three voters were present at the second dinner, *ib.* 1068–1090——Witness is not a voter, *ib.* 1075. 1091.

Particulars as to the dinners and refreshments provided at the Red Lion Hotel, Falkirk, for the committee and other supporters of Mr. Merry; witness never saw anything paid for, *M'Laren* 1338 *et seq.*——Direction by Mr. Burns that things supplied to Mr. Merry's friends were to be put down to Mr. Merry's committee, *ib.* 1362–1365. 1385, 1386. 1404–1406——Refreshments provided during the polling day in the hotel or sent to the polling booth, *ib.* 1366–1403.

Witness entered the refreshments to Mr. Merry's committee, though some of them had not been ordered by any of the committee, *Scott* 1460–1467. 1561–1575. 1590–1605——

Witness

Report, 1857—*continued.*

Treating—continued.

Witness does not know to whom he is to look for payment of the 35 *l.* due to him for refreshments supplied to the committee or friends of Mr. Merry, *Scott* 1462. 1465. 1545–1548——In receiving the bill of 60 *l.* for charges, exclusive of refreshments, nothing was said by Provost Adam or witness relative to the 35 *l.* excluded from the original bill, *ib.* 1468–1483. 1489–1494——Statement that about eight days ago Provost Adam asked witness for a detailed account of the refreshments, adding that it was very likely he would not be paid; witness subsequently gave this account to Mr. Hadderwick, *ib.* 1495–1560. 1576–1582——Some of the items charged to Mr. Merry's committee were ordered by Mr. Burns, *ib.* 1564–1567——Some of the refreshments were ordered by Provost Adams, *ib.* 1569–1575——Reference to the charges for refreshment on the polling day; some of these were in respect of the polling booths, *ib.* 1608–1613.

Resolution of the Committee that James Merry was, by his agents, guilty of treating at the last election; but that it was not proved to the Committee that such treating was committed with the knowledge and consent of the said James Merry, *Rep. p.* iii.

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V.

Void Election. Resolution of the Committee that the last election for the Falkirk Burghs is a void election, *Rep. p.* iii.

W.

Whiteford, John. (Analysis of his Evidence.)—Farmer, near Lanark, 509–510——Was canvassed before the late election by Mr. William Browne, of Lanark, for Mr. Merry; received a letter from Browne, which has been lost, 511–518——On the Saturday before the election witness saw Browne; inducement then held out to witness to vote for Mr. Merry, 519–534——Witness at this time owed Browne 3 *l.* 10 *s.*, and has since been summoned for it, 531–538——Witness voted for Mr. Baird, 537. 551——On the Saturday witness was taken by William Ritchie to the Commercial Inn, and had some refreshment there, for which he did not pay, 539, 550.

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Witness's Expenses. Statement as to witness and his wife having been in London for nearly five weeks; Mr. Hillhouse is with them, *Quigley*, 215–226——Witness has been in London nearly two months, and is now living with Quigley; amount received by him for his expenses during that period, *Hillhouse* 331–337. 351–386.

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Wyse, Catherine. (Analysis of her Evidence.)—Is wife of Thomas Wyse, 1176——About a fortnight before the election, Mr. Merry, Mr. Mitchell, and Provost Adam called on witness's husband about his vote, 1177–1185. 1241–1243——Particulars as to Provost Adam having seen witness on the evening before the election, and having held out certain inducements in order to obtain her husband's vote for Mr. Merry, 1186–1205. 1218–1240——Witness told her husband what Provost Adam said, but he did not seem to take much notice of it, 1206–1217.

Wyse, James. Witness saw Mr. James Wyse, ironmonger, dining at the Red Lion Hotel, Falkirk, without paying anything, *M'Laren* 1342–1344. 1390–1392.

Wyse, Thomas. (Analysis of his Evidence.)—Farmer, near Falkirk, 1092——On the Friday or Saturday week before the election was canvassed by Mr. Merry, who was accompanied by Mr. Mitchell and Provost Adam; witness declined to vote against Mr. Baird, whom he had formerly supported, 1093–1106. 1124, 1125. 1128–1130——Explanation that previously to this canvass witness had applied at the bank at Falkirk, of which Provost Adam is agent, for some accommodation, which had been refused, 1107–1121. 1152–1159.

On the Tuesday or Wednesday before the election witness saw Mr. Merry at Hamilton; inducement then held out by him to witness for the sake of his vote, 1122–1127. 1131–1140. 1160–1 74——On the Monday night before the election witness heard from his wife that Provost Adam had called at his house, 1149–1151——Witness voted for Mr. Baird, 1175.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

FALKIRK BURGHS ELECTIO PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
21 *July* 1857.

[*Price* 8 *d.*]

195—Sess. 2.

Under 12 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1857.)

Ordered, by The House of Commons, *to be Printed*,
17 *July* 1857.

Mercurii, 8° *die Julii*, 1857.

NAMES of the Members of the Select Committee appointed to try and determine the Matter of the Petition complaining of an undue Election and Return for the County of the Town of Galway:

Joseph Christopher Ewart, Esq.	Lord Lovaine.
Alexander William Kinglake, Esq.	Henry Gerard Sturt, Esq. (Dorset).

Chairman, GEORGE CLIVE, Esq. (Hereford).

Jovis, 9° *die Julii*, 1857.

Ordered, THAT the Petition and List relative to the said Petition be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Twelve o'clock.

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MINUTES OF EVIDENCE - - - - - - - - - p. 1

PROCEEDINGS OF THE COMMITTEE.

Veneris, 10° *die Julii*, 1857.

NAMES of the Members called over; all present.

Room cleared; The Committee agreed to the following Resolutions:

1. "That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. "That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. "That the Committee expect that, with respect to cases of bribery, or offers or promises of money or other valuable consideration which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. "The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. "That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. "That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. "The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. "That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the agents whose names shall be handed in, without the special leave of the Committee.

9. "That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. "That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. "That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

12. "That with respect to objected votes, the Committee expect Counsel to exhaust one class of objections before proceeding to another."

Parties called in and informed of the foregoing Resolutions.

The Petition of certain electors, complaining of an undue election and return for the County of the Town of Galway, and praying that the return may be amended by striking out the name of *Anthony O'Flaherty*, and substituting that of Lieutenant-colonel *Patrick F. French*, was read.

Counsel for the Petitioners, Mr. *Wordsworth* and Mr. *Shaw*.

Agent, Mr. *T. Baker*.

Counsel for the Sitting Member, Mr. *James*, Mr. *O'Malley*, and Mr. *Coleridge*.

Agents, Mr. *Coppock*, Mr. *M'Nevin*, and Mr. *Murphy*.

Mr. *Coleridge* took a preliminary objection to the reception of the Petition on the ground that it was informal: that the prayer was not justified by anything in the recitals; the prayer

asking to have the return amended, whereas there was no allegation in the body of the Petition that the majority was colourable, or that any votes were bad and ought to be struck off the poll. The Petition was therefore informal and could not be gone into.

Mr. *Wordsworth* was heard in answer to the objection.

Mr. *Coleridge* was heard in reply.

Room cleared. Committee deliberated, and decided that the general irregularity of the Petition is not sufficient to prevent the Petitioners from proceeding with the case; and that with regard to the objection to proceeding with the scrutiny, the decision must be postponed until the question arose.

Parties called in and informed thereof.

Mr. *Wordsworth* opened a case of bribery, treating, and undue influence, and proposed to reserve the question of scrutiny.

Mr. *Coleridge* assented to that course being taken.

The short-hand writer was sworn by the Chairman.

James Richard Naylor, called, sworn; examined by Mr. *Shaw*. Produced writ and return for the last election for the county of the town of Galway.

Charles O'Connell French, second clerk in the Hanaper Office, called, sworn; examined by Mr. *Shaw*. Produced five poll-books of the last election for the county of the town of Galway. Cross-examined by Mr. *Coleridge*, who objected to the reception of the poll-books, on the ground that they were not produced out of the custody of the proper officer.

The Committee decided that the custody of the poll-books was sufficiently proved.

Charles O'Connell French handed in the said five poll-books.

St. John Killery, called, sworn; examined by Mr. *Wordsworth*. Put in accounts delivered to him as election auditor at the said last election.

Bartholemew Kinihan, called. The witness objected to be sworn, on the ground that he had not received sufficient money to defray his expenses. The witness was examined by the Committee, and it appearing that he had received 10 *l.*, the Chairman directed the Clerk of the Committee to administer the oath to the Witness.

Bartholomew Kinihan, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. *James*; re-examined by Mr. *Wordsworth*.

Thomas M'Govan, called, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. *James*; re-examined by Mr. *Wordsworth*.

Edward Hynes, called; the witness objected to be sworn, on the ground that he had not received sufficient money to pay the expenses he had incurred, but it appearing that he had received 13 *l.*, the Committee decided that he had received sufficient to bring him before the Committee, and that he must take the oath.

Edward Hynes, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. James.

James Connor, called, sworn; examined by Mr. *Shaw*.

Benjamin Mathews, called, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. *James*.

Timothy Newell, called, sworn; examined by Mr. *Shaw*.

Michael Codyre, called, sworn; examined by Mr. *Shaw*.

David Corcoran, called, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. *James*; re-examined by Mr. *Wordsworth*.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 11° *die Julii*, 1857.

NAMES of the Members called over; all present.

Patrick Glyn, called, sworn; examined by Mr. *Shaw*.

Timothy Glyn, called, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. *O'Malley*; re-examined by Mr. *Wordsworth*.

Thomas

Thomas Madden, called, sworn; examined by Mr. *Shaw*.

Edward Waldron, called, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. *O'Malley*.

Thomas Madden, recalled, and further examined by Mr. *Shaw*; cross-examined by Mr. *Coleridge*.

James Davis, called, sworn; examined by Mr. *Wordsworth*; cross-examined by Mr. *James*.

Mr. *Wordsworth* stated that he had now concluded the evidence on the case, except with regard to the scrutiny, and applied to the Committee to decide upon this portion of this case before proceeding to the scrutiny.

The Committee decided they would take that course.

Mr. *James* stated that he proposed to call witnesses, and would reserve his address until the conclusion of the evidence.

Anthony O'Flaherty, the sitting Member, sworn; examined by Mr. *James*; cross-examined by Mr. *Wordsworth*; re-examined by Mr. *James*.

Mr. *James* stated, that, with the permission of the Committee, he would reserve his address until Monday.

[Adjourned to Monday next, at Eleven o'clock.

Lunæ, 13° *die Julii*, 1857.

NAMES of the Members called over; all present.

Mr. *James* stated, that he proposed to call Mr. Rochford, with reference to a part of Mr. O'Flaherty's evidence.

Mr. *Wordsworth* objected to any further evidence being given, as Mr. *James* had stated on Saturday that he had closed his case.

Mr. *James* was heard in support of his right to call Mr. Rochford.

Mr. *Wordsworth* was heard in reply.

Room cleared. Committee deliberated.

Motion made, and question put, "That Mr. Rochford be examined." The Committee divided:—

Ayes, 3.	Noes, 2.
Mr. J. C. Ewart.	Lord Lovaine.
Mr. A. Kinglake.	Mr. G. Clive.
Mr. H. G. Sturt.	

Parties called in and informed of the decision of the Committee.

Coll Rochford, called, sworn; examined by Mr. *James*; cross-examined by Mr. *Wordsworth*; re-examined by Mr. *James*.

Mr. *James* summed up the evidence on behalf of the Sitting Member.

Mr. *Wordsworth* replied upon the whole case.

Room cleared. Committee deliberated.

Resolved, "That Anthony O'Flaherty, Esq., was, by his Agents, guilty of bribery at the last election for the town and county of the town of Galway."

Resolved, "That Anthony O'Flaherty, Esq., is not duly elected a Burgess to serve in this present Parliament for the town and county of the town of Galway."

Resolved, "That the last election for the said town, so far as regards the Return of the said Anthony O'Flaherty, is a void election."

Resolved, "That it was proved to the Committee that Edward Hynes, Thomas M'Loughlin, William M'Loughlin, James Connor, Benjamin Mathews, Timothy Newell, and Michael Codyre were bribed by Dr. James Valentine Browne and John Oliver."

Resolved, "That David Corcoran, Malachi Maloney, John Duggan, Michael Murphy, Michael Codyre and Patrick Glyn were attempted to be bribed by Myles Ward."

Resolved, "That it was not proved that these acts of bribery were committed with the knowledge or consent of the said Anthony O'Flaherty."

Resolved, "That the evidence given before the Committee appears to establish the fact that systematic bribery of certain classes of the electors has prevailed at the last and former elections for the said town."

Resolved, "That cases of treating were proved at the last election for the said town, but the consent of the said Anthony O'Flaherty or his agents was not proved thereto."

Parties called in and informed of the above Resolutions.

Mr. *Wordsworth* then applied that the opposition to the Petition might be reported to have been frivolous and vexatious, in order that the Petitioners might be entitled to recover costs.

Mr. *Coleridge* was heard against the application.

Mr. *Wordsworth* was heard in reply.

The Committee refused the application.

Mr. *Wordsworth* stated that he now proposed to proceed with the scrutiny.

Mr. *Coleridge* objected to the scrutiny being proceeded with, on the ground that there were no allegations in the Petition alleging that the majority for Mr. O'Flaherty was colourable, or that any of the votes were bad votes.

Mr. *Wordsworth* was heard in answer to the objection.

Mr. *Coleridge* was heard in reply.

The Committee decided that the scrutiny could not be gone into.

Ordered, That the foregoing Resolutions be reported to The House.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

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MINUTES OF EVIDENCE.

Veneris, 10° *die Julii*, 1857.

MEMBERS PRESENT.

Joseph Christopher Ewart, Esq.	Lord Lovaine.
Alexander William Kinglake, Esq. (Bridgewater)	Henry Gerrard Sturt, Esq.
	George Clive, Esq.

GEORGE CLIVE, Esq., IN THE CHAIR.

10 July 1857.

THE room was cleared.

After some time, the counsel and parties were called in, and the Chairman stated the Resolutions which the Committee had agreed to with regard to the conduct of the proceedings.

The petition of Patrick Greene and Andrew Lynch, electors of the county and town of Galway, complaining of the last return of the county and town of Galway, was read.

Mr. *Wordsworth* and Mr. *Shaw* appeared as counsel.

Mr. *Baker* appeared as agent.

Mr. *O'Malley*, Q.C., Mr. *Edwin James*, Q.C., and Mr. *Coleridge*, appeared as counsel for the Sitting Member.

Mr. *Richard C. MacNivin* appeared as agent.

Mr. *Coleridge* stated, that before the counsel for the petitioner addressed the Committee, he objected to the form of the petition on two grounds; the first was, that it had no heading; it was not addressed to any one; and the second was, that the second paragraph showed that Lieutenant-colonel French, Lord Dunkellan, and Anthony O'Flaherty were candidates; and that the last clause of the petition in the prayer prayed for the substitution of the said Lieutenant-colonel French, a person who was never named before in any of the recitals of the petition. On these grounds also he submitted that there could be no scrutiny gone into, and that the question before them must be confined simply to the unseating of the Sitting Member.

The *Chairman* stated, that the Committee were of opinion with respect to the objection as to the want of heading, that that had been already overruled in the case of the St. Alban's election; but upon the other questions they would hear the counsel for the petition.

Mr. *Wordsworth* was then heard against the objection.

Mr. *Coleridge* was heard in reply.

The room was cleared.

After some time, the counsel, agents, and parties were called in, and informed that the Committee had come to the following Resolution: "That the general irregularity and informality of the petition was not sufficient to

prevent the case from going on, and that they would defer the question of scrutiny until it arose.

Mr. *Wordsworth* was then heard on behalf of the petitioners; after which, he called the following witnesses:

Mr. *J. Richards.*

Mr. *James Richards*, called and sworn; Examined by Mr. *Shaw.*

10 July 1857.

1. YOU are from the Crown Office of Ireland?—No, from the Crown Office of England.

2. You produce the writ and return?—Yes, I do.

3. Will you put it in?—I need not part with it; it is not usual to do so.

[The Witness then withdrew.

Mr. *C. O'Connell French.*

Mr. *Christopher O'Connell French*, called and sworn; Examined by Mr. *Shaw.*

4. YOU are from the Hanaper Office in Ireland?—Yes.

5. Do you produce the poll-books?—Yes.

6. Mr. *Coleridge.*] What post do you hold at the Hanaper Office?—I am the second clerk.

Mr. *Coleridge* objected to the production by the witness of the poll-books, inasmuch as he was not the proper officer authorised by the Act of Parliament. The proper person to produce those books was the clerk of the Hanaper Office.

7. *Committee* (to the *Witness*).] Do you assist in performing the duties of the Hanaper Office?—Yes.

8. Who is the first clerk?—Michael O'Brien.

9. Are you in the same office as he is?—I am in the same office.

Mr. *Coleridge* stated, that the objection he had made was founded on the words of the Act of Parliament, which were that the clerk of the Hanaper Office should keep the poll-books.

Mr. *James* stated that he would ask a few question, in order to have on the notes the proper description of the witness.

Examined by Mr. *James.*

10. Who is the chief assistant?—Mr. O'Brien.

11. He is the known chief assistant in his office?—Yes.

12. You are not?—No.

13. You are a mere writing clerk?—I am a paid clerk.

14. What is your salary and position?—I am a second clerk, at 100 *l.* a year.

15. Where is Mr. O'Brien?—In Dublin.

16. He produced the books in the Mayo election, did he not?—Yes, but his time was up on Wednesday.

17. Is he ill?—I do not know.

18. Was he well when you left him?—He was quite well.

19. Where is Mr. O'Brien?—In the office; there are only two clerks in the office, and one should remain behind.

20. Is Mr. O'Brien, the chief assistant, quite well?—Yes.

21. As well as ever?—He was so when I left him.

Examined by Mr. *Wordsworth.*

22. You are a clerk in this office, you say?—Yes.

23. The Crown and Hanaper Office in Dublin?—Yes.

24. From whom did you receive those poll-books?—From the clerk of the Crown and Hanaper Office.

25. When did you get those poll-books?—I got them on Wednesday evening.

The *Chairman* stated that the Committee were of opinion, that the witness had, properly, custody, under the word "agent," contained in the Act of Parliament, of the poll-books.

Mr.

Mr. *Saint John Killery*, called and sworn; Examined by Mr. *Wordsworth*. Mr. *S. J. Killery*. 10 July 1857.

26. I THINK you are an election auditor for the town of Galway?—Yes.
27. Do you produce an appointment, signed by Mr. O'Flaherty, the Sitting Member, of Mr. Redington as agent?—Yes, sir.
28. Show it to me, will you?—(*The Witness handed it to the learned counsel; and the document, with the election auditor's account, was then put in.*)
29. Would you be kind enough to draw the attention of the Committee to an item in those accounts for the hire of the committee-rooms; I think it is a sum of 15 *l.*?—Yes; there is the rent of the tally-room, which is 15 *l.*
30. It is sometimes called tally-room and sometimes committee-room? ——

Mr. *James.*] I object to that.

The entry is, "Rent of tally-room, 15*l.*"
31-2. Mr. *Wordsworth.*] Is that the whole of the entry?—That is the whole of the entry.

The witness applied to the Chairman to lay down some rule with respect to what the amount allowed for the expenses of himself and the other witnesses should be.

The *Chairman* stated, that it was not in his power to lay down any rule, but that the witness could apply to the proper officer of the House with reference to the enforcement of any legal demand.

The witness then applied to have the papers which he had produced returned to him.

After some discussion,

The *Chairman* decided that they should be retained, as they might be required; and Mr. *James* desired that the fact should be entered upon the notes that the full amount of expenses were 263 *l.* odd.

Mr. *Wordsworth* also desired the Committee would take notice of the fact that in the account produced there was no other entry of any charge for committee or tally-room than the one referred to.

Mr. *Bartholomew Kinihan*, was then called. Mr. *B. Kinihan*.

This witness objected to be sworn until his expenses had been paid.

Mr. *Baker* stated that the witness had received 10 *l.*

After some discussion,

The *Chairman* stated, that the Committee were of opinion that 10 *l.* was a sufficient sum to bring the witness before the Committee, and that he must therefore give his evidence.

The witness was then sworn; Examined by Mr. *Wordsworth.*

33. ARE you a grocer?—I am.
34. Carrying on business in William-street, Galway?—Yes.
35. Had you, at the time of the last election for that town an empty house belonging to you at the post-office?—I had.
36. You have got it still; it is your property?—Yes.
37. Was that house used by Mr. O'Flaherty and his friends during the election?—It was.
38. For what purpose?—I think it was a committee-room.
39. Whilst it was so being used as a committee-room, were there placards outside?—I think there were placards on the window.
40. Was it Mr. O'Flaherty's committee or tally-room?—I think it was.
41. Mr. *James.*] Which was it?—It was Mr. O'Flaherty's tally-room, I think.
42. Mr. *Wordsworth.*] Do you know John Oliver, the baker?—I do.
43. He has a shop and premises in Maingard-street?—Yes.
44. Before the election came on, do you remember Oliver coming to you about that house, and the committee-room being there?—I do.

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Mr. *James* objected to Mr. Wordsworth calling it a committee-room.

Mr. *Wordsworth* stated that the witness himself said tally or committee-room.

The *Chairman* stated that the witness first said committee-room and then tally-room.

45. Mr. *Wordsworth.*] Then he came before this election about the house being used as a tally-room?—Yes.

46. Were you to give him anything for the use of it?—He was to give it to me.

47. Was he to give you anything for the use of it?—Yes, sir, he was.

48. How much?—£.15.

49. Did you pay him the 15 *l.*?—Yes.

50. You were on Mr. O'Flaherty's committee, were you not?—Yes, I was.

51. And Doctor James Valentine Brown was there also?—I do not know whether he was in the committee or not.

52. Think again?—Most likely he was, but I cannot swear that he was.

53. Did you never see Doctor James Vallentine Brown in the tally-room?—I did.

54. Whilst the etection was going on?—Yes.

55. Did you see him there every day?—Not every day; I was not many days there; but I saw him about two or three times there, I think.

56. On the nomination day, the 30th of March, did you see him there?—Yes, I think I did.

57. Did you see him on the day of the nomination?—I assure you I cannot swear that; I took no particular interest in it.

58. During the election, including the nomination day and the day of polling, which was Wednesday, did you see Doctor Brown there as many as three or four times?—Once I saw him in the house; I might have seen him there during the election two or three times.

59. During the election; that includes the nomination day and the day of polling?—Yes.

60. Were you there on Saturday, the 29th?—I was.

61. Did you see Mr. O'Flaherty there?—I did.

62. And Doctor James Valentine Brown?—Yes; I think he was there on one day.

63. Was John Oliver there?—He was.

64. Was Miles Ward there?—Yes.

65. Mr. Rochfert?—Yes, I think he was there too.

66. And Mr. Bernard O'Flaherty?—Yes.

67. And Mr. John Gill?—To the best of my knowledge he was, but I did not take any particular notice.

68. Was James Fehay there?—I could not swear to the fact.

69. You are not certain about Fehay?—No.

70. Was Martin Tierney there?—Yes, he was.

71. And was a gentleman of the name of Gunning in the chair?—I cannot swear to that; indeed I do not remember.

72. Did this meeting take place about one o'clock on Sunday?—It was two o'clock, I think.

73. Between one and two?—Yes.

74. Do you remember Mr. O'Flaherty making a speech?—Yes, he did make a speech.

75. I asked you just now about Miles Ward; is Miles Ward a grocer and a publican?—He is.

76. Living in William-street?—In William-street.

77. The same street as yourself?—Yes.

78. How far is William-street from the place where the voters poll?—It is not very far; it is, I should say, about from here to the corner of that large hotel.

79. Do you mean Fendall's Hotel?—Yes, about that distance.

80. You say that Ward's house is about that distance from the place where the voters poll?—Yes, sir; it may be a little further.

81. Your house, which you let as a tally-room, is close to the post-office?—Yes.

82. How far from the place where the voters poll?—It is not very far; perhaps half the distance.

83. Between this and Fendall's Hotel?—Yes.

84. Now, Mr. Oliver, the baker's shop, is in Maingard-street?—

85. How far is that from the place for voting?—About three times the distance.

86. How many polling booths were there?—I cannot say that, indeed.

87. You say Mr. O'Flaherty made a speech on this occasion; how long were you there altogether, do you think?—I was down there about a quarter before two, and I left about a quarter past two.

88. Was there any business done, or was anything done besides the mere speech of Mr. O'Flaherty?—No; I have not seen anything, only the committee was formed; they formed a committee, I think it was.

The *Chairman* asked whether it was disputed that the committee did sit in the place in question.

Mr. *James* stated, that his contention would be that it was not a committee-room in the ordinary acceptation of the term.

89. Mr. *Wordsworth.*] Were you present during the time that you are speaking of?—Yes.

90. Only tell us what you saw done and heard; you say you went there at a quarter to two, and you came away at half-past two?—Yes.

91. What was done besides making a speech?—All that I saw done was, that there was a chairman appointed, and a few dozen names called over as the persons who would act as a committee for Mr. O'Flaherty. I did not pay any particular attention to what they were doing.

92. Mr. *James.*] Do you say committee men?—That is what I understood they were.

93. Mr. *Wordsworth.*] You say the names were called over?—Yes.

94. Was Dr. James Valentine Brown one of the names?—I cannot say that he was; I cannot swear that he was.

95. You have told me that he was there?—He was there two or three times during the election; I have seen him there two or three times.

96. I understood you to say that he was there on the nomination day?—I have no recollection distinctly of seeing him.

97. You have no recollection of Dr. James Valentine Brown being there at the time that the names of the committee were called over?—Decidedly not; he may have been there; but I would not swear that he was there.

98. Will you swear that he was not?—No.

99. You cannot say that he was not there?—Exactly.

100. Do you remember John Oliver's name being called over, and his being there?—Yes.

101. And Miles Ward?—Yes.

102. At the time of his name being called over?—Yes.

103. And Mr. Bernard O'Flaherty?—Yes; and all those names that I enumerated to you before.

104. Was there any meeting of the committee of persons in that tally-room at which you were present before this day, which you speak of, namely, Sunday the 29th of March?—I think it was Saturday that he got the house, and I was not in the house on Saturday.

105. You think O'Flaherty got the house on Saturday?—Yes.

106. Whether there was a meeting on Saturday, you do not know?—No.

Cross-examined by Mr. *James.*

107. Is it usual at Irish elections to have a room which they use as a tally-room?—Yes, it is.

108. Does that take its name in Ireland from polling the voters by tallies?—Yes, I think it does; I do not understand very much about elections.

109. Now attend; they poll by tallies, and therefore the name of tally was given to it. Now, was any room hired to your knowledge before this?—It was on a Saturday that the house was taken.

110. You have used the term, and have had it suggested to you constantly, "the committee men." How many people were there on the Sunday, when these names were called over in the room?—I should say there were 60 or 70.

 111. Did

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111. Did you hear the speech of which we have heard from Mr. O'Flaherty?—I did.

112. We hear that Mr. O'Flaherty said, "I tell you I have placed sufficient money for all expenses whatever." Had it been circulated in the town that Mr. O'Flaherty had not sufficient money to pay the election expenses; had there been any rumours of that kind?—There was a rumour.

113. Was this speech, as far as you heard it, made in answer to that rumour, did Mr. O'Flaherty say, "There has been a rumour that I have not sufficient money to pay the election expenses: I assure you I have enough money for all the expenses of the election." Was that the speech, or was it to that effect?—Something to that effect. I have no recollection of it particularly, for I was only present during a part of the speech.

114. You say that Oliver engaged the room; did a person of the name of Rochfort first apply to you about it?—He did.

115. Who is Rochfort?—An attorney.

116. I do not mean to say anything against Mr. Rochfort; but did you refuse an account of his security for the rent, and require Oliver's security?—No.

117. How came Oliver to come to you?—Rochfort asked me if I had the house opposite the post-office to set; I said I had; he said, "Will you not set it to Mr. O'Flaherty?" I said I would.

118. But how came Oliver to come to you?—Rochfort then went away; that is all the conversation that I had with him. Mr. Oliver came up afterwards, and had some conversation with me about the house; but he did not give me the amount I demanded, and went away; then he came a second time, and agreed to the amount that I demanded.

119. Had this been used as a tally-room before for previous elections?—Never, to my knowledge.

120. It was not used in former elections?—No.

121. You say when they formed what you call a committee, that there were 70 or 80 people there?—Yes, I think there was; the room was crowded.

122. *Committee.*] Did you prefer Oliver's security to Rochfort's; was that the reason that you dealt with Oliver?—I would prefer Oliver's security; but it was not Rochfort that made the bargain, it was Oliver; Oliver first of all went away, and then he came back, and made the bargain.

123. Would you prefer Rochfort to Oliver as the person to whom you would let?—I would, and did.

Re-examined by Mr. *Wordsworth.*

124. Was Mr. Rochfort election agent to Mr. O'Flaherty?—He was.

125. How was it you preferred Oliver to Rochfort?—Rochfort did not come to arrange the amount.

126. He would not give you so much?—He did not appear to take it at the moment.

127. Did you prefer Mr. Oliver to Mr. Rochfort?—Attornies are never of the best payers.

128. I suppose that entered into your consideration when you declined Rochfort's offer?—Yes.

[The Witness then withdrew.

Mr. *T. M'Govera.*

Mr. *Thomas M'Govera,* called and sworn; Examined by Mr. *Wordsworth.*

129. Mr. M'Govera, are you asssistant to a solicitor?—I am.

130. On Sunday the 29th of March were you at this tally-room?—I was.

131. About what time of the day?—I would say about one o'clock, as I best recollect.

132. Will you be kind enough to tell the Committee whom you saw there?—In the room I saw somewhere about 100, or upwards of 100, people; and among the rest in the room at the time (it was a large room), among the rest I saw Mr. Anthony O'Flaherty, Dr. James Valentine Brown, Mr. Bernard O'Flaherty, Mr. John Oliver, Mr. Bartholomew Kinihan, Mr. Miles Ward, Mr. Gills,

Mr.

Mr. Martin Tierney, Mr. John Reddington, and Mr. Thomas Reddington, besides various others. Mr. *T. M'Govern.*

133. Dr. James Valentine Brown was there?—Yes. 10 July 1857.

134. Of that you are quite positive?—Quite positive.

135. Do you remember Mr. O'Flaherty making a speech?—I do.

136. What did he say about the election and money?—Mr. O'Flaherty appeared to me to be explaining to the parties present——

137. Never mind about going into it in detail?—He appeared to be stating his previous Parliamentary career, and then he made one statement, which struck my mind at the moment; he said, that "People had said he had no money; but he begged to assure the gentlemen present that he had placed sufficient money in the hands of his friends, Dr. Valentine Brown and Mr. Bernard O'Flaherty, for all purposes whatsoever."

138. Now, was Dr. Browne present at that time?—He was.

139. And Mr. Bernard O'Flaherty?—Yes; they came in as he was concluding; Mr. Bernard O'Flaherty came in, and the words were being mentioned while he was coming into the room.

140. When the words were used, and the whole of the words which you have given to the Committee, Dr. James Valentine Brown was present?—Yes.

141. Was he near enough to hear him?—He was standing close by the table, by my side, at the time.

142. How far was Dr. Brown when Mr. O'Flaherty used those words?—As far as I am from you.

143. Is he a professor of medicine in King's College, Galway?—I believe so.

144. He lives in Galway?—He does.

145. Is he also an officer of the workhouse?—I believe so.

146. And is Mr. Anthony O'Flaherty the chairman of the board of guardians there?—As I understand, he is so; according to the papers he is chairman.

147. Is the master of the workhouse Mr. O'Shaughnessy?—Yes, Mr. O'Shaughnessy is the master of the workhouse.

148. Were you in Galway—I need scarcely ask it—on the day of the polling?—Yes; I was an agent; I was in Galway, and an agent, at the election, in one of the booths.

149. How many booths were there?—Five.

150. *Committee.*] You were a polling-clerk?—No, sir, an agent.

151. Mr. *Wordsworth.*] The voters vote by tallies, do they not?—Nearly all by tallies.

152. Now, you know Mr. Anthony O'Flaherty very well?—I do.

153. Before the election, and on the day of the nomination, and the day of the election, during the whole of the election, and some days before that, did you see Mr. O'Flaherty about the town canvassing?—Yes.

154. In company with any one?—Oh, yes, in company with all those gentlemen who I have mentioned in a previous part of my evidence, and various others.

155. You saw Mr. O'Flaherty in the tally-room on Sunday, the 29th?—Yes.

156. Did you see him there afterwards?—I will answer that; I saw him there before very often; oh, yes, and afterwards too.

157. How many times do you think you saw him there?—I suppose nearly daily; at all events, for a week before.

158. On any of those occasions, except Sunday, when the speech was made, when you saw Mr. O'Flaherty at this tally-room, did you ever see Dr. James Valentine Brown there?—I cannot answer that question, because that was the only day that I was in there; I have seen him about the door, and passing in, perhaps, as well as I can recollect.

Cross-examined by Mr. *James.*

159. You are an attorney's clerk?—I am, sir.

160. Were you a clerk in his employment before the election of Mr. Martin O'Flaherty?—I am still——

161. Is he the private solicitor of Mr. Anthony O'Flaherty, the Sitting Member?—I believe Mr. Anthony O'Flaherty is a client.

162. Were you his managing clerk?—I know that Mr. Anthony O'Flaherty is a client of Mr. Martin O'Flaherty.

163. He is the Sitting Member's attorney?—Yes.

 164. Are

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164. Are they relatives?—I believe not.

165. At this time was he conducting or acting for Mr. O'Flaherty's election?—No.

166. He did not?—He acted for Colonel French.

167. I believe when Colonel French came forward, Mr. O'Flaherty supported him?—Yes.

168. He is what is called a "Young Ireland" politics man, is he not?—He will answer, if you ask him.

169. Do you know whether he is so or not; you have heard him speak, and so on; have you not heard him talk in favour of "Young Ireland" politics?—I do not think that in any of his speeches I have ever heard him use the phrase of "Young Ireland."

170. You have spoken of this meeting on the Sunday; how did you get there. because you were known to be of the other side; were you on Mr. French's side?—Not then.

171. Not on the Sunday?—No.

172. Had not Mr. Martin O'Flaherty, your employer, determined to support Colonel French?—Yes.

173. And you acted as agent in the election for Colonel French?—Yes.

174. Then, whether on the other side or not, on that Sunday your employer was acting for Mr. French, and you acted as agent for the election?—No; my employer was not in Galway then.

175. When were you employed as agent?—After the arrival in Galway of the four o'clock train.

176. You were appointed agent on that Sunday?—No; I did not get it handed in according to the Act of Parliament till the day before the polling; but when he came to Galway, he asked me to assist him.

177. Who did?—Mr. Martin O'Flaherty.

178. When?—I tell you on that Sunday.

179. About what time did he arrive?—About half-past four on that Sunday.

180. At what time was this meeting?—About one o'clock.

181. Had Colonel French appeared; had his candidature commenced?—He issued an address a few weeks before.

182. At that very time was not Martin O'Flaherty supporting him?—On that Sunday?

183. Before that Sunday?—No

184. Before that Sunday had Mr. Martin O'Flaherty not become an adherent of Mr. French; did he not come into the town with him?—Yes.

185. With Mr. French?—Yes.

186. Was this committee-room open to the public?—Yes.

187. It was an empty house open to the public?—Yes.

188. Were there 100 people there?—I should say so.

189. A hundred people in an empty house open to the public, and this extraordinary speech was addressed to 100 people?—About 100 persons.

190. So much depends on it, I will just ask you a question, and I dare say you will give me a candid answer?—Certainly.

191. In that speech did not Mr. O'Flaherty say, "It has been rumoured by enemies that I have not sufficient means to conduct this election. I beg to say that I have sufficient means for all the purposes of the election"?—No.

192. Will you swear that he did not say that?—I will not exactly swear that.

193. Is that the substance of what he said?—I will give you the words, as well as I can recollect them, and then you can form your own opinion; he said this: "People say I have no money; but this I tell you, gentlemen," and then he went through what I stated before.

194. Well, go on, let us have it again; what was it?—"I have placed sufficient money in the hands of my friends, Dr. Valentine Brown and Mr. Bernard O'Flaherty."

195. Did he not say, "People say I have no money to conduct my election"?—No; he said, "People say I have no money; but this I tell you, gentlemen," and that was all.

196. Go on; he said, "for the purposes of the election" did he not?—No, I tell you what he said; I will give it you again, if you like; he said, "People say I have no money; but this I tell you, gentlemen, I have placed sufficient money

money in the hands of my friends, Dr. Valentine Brown, and Bernard O'Flaherty for all purposes whatsoever," which created a laugh in the room at the time.

197. Created a laugh?—Yes.

198. Were there many of Colonel French's supporters there?—I do not know.

199. You have been very active about this petition, I ask you whether there were not as many of Colonel French's supporters there, as of Mr. O'Flaherty?—No, certainly not.

200. Were there many?—I think not.

201. How did you come there?—I walked in with the rest.

202. Did you go for curiosity, or as a spy?—I did not go as a sp.

203. Then what did you go there for?—I went from curiosity.

204. Did you make a note of this speech at the time?—No.

205. Most attornies clerks do. They go home and note down exactly what they have heard under such circumstances, did you not make a note of it?—No.

206. Have you been actively engaged in getting up this petition?—No.

207. Not at all?—No.

208. Mr. *Wordsworth.*] He does not say "not at all," or he does not mean not at all?—I have never been actively engaged, that was the question to which I said not at all. I have not been actively engaged in getting up the petition.

209. Who have been the attornies?—I believe there has been no attorney, but what I have done for them.

210. You have been the agent for the petition?—Yes.

211. Is not that being actively engaged; is there any other agent but yourself?—No.

212. Are you an attorney?—No.

213. Is Mr. Martin O'Flaherty engaged in it?—No, nor do I think he even knows what the particulars are. I beg to remind you Mr. James, that Mr. Martin O'Flaherty opened an office in Galway in September last, which I went down to manage, and he is very seldom in Galway. He has not been there three times perhaps since that office was opened, and I do not think he knows anything of the petition.

214. Is this done for your principal?—Not for my principal. It is done for those parties who came to me to manage it for them. Not professionally, for I do not expect any fees out of it.

215. You do it as an amateur?—That is a fact, sir.

216. You are doing it from purity of election principle?—Perhaps so.

217. Is it so?—I am doing it without fees, I do not know what further I can say; but I do swear that positively.

218. Purely gratuitously?—Yes, entirely so.

219. Who for?—Colonel French and the petitioners, not exactly for Colonel French; but for the petitioners. Colonel French took no part in it until it was over here.

220. Are you for Colonel French or the petitioners?—I will explain the matter if you will allow me. Two or three of the parties who were most actively engaged on behalf of Colonel French, some time after the election, immediately before the day for lodging petitions, came to me, and they brought me some evidence of two or three parties that were bribed, and I sent a note of the evidence, I think, to Mr. Baker, and he considered it a good case for a petition, and sent forward a petition, and that was sent over here signed, and then it was mentioned to Colonel French.

221. Now, you sent the case to Mr. Baker, and you are conducting it. Did not your principal, Mr. Martin O'Flaherty, know anything of it?—No, nothing whatsoever; nor do I think that he knows anything about it.

Re-examined by Mr. *Wordsworth.*

222. You say you attended this committee about one o'clock; this meeting?—About one.

223. And Colonel French came into the town about four o'clock the same day?—About half-past four.

224. After you attended this committee?—Yes, certainly.

225. Did you know at the time of attending the tally-room at one o'clock, that Colonel French was going to be a candidate?—There was some rumour of his coming; but at that particular time there was no certainty of it.

226. In fact, though there was a rumour, it was not made certain til Colonel

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French came at four o'clock?—At four o'clock, or thereabouts; but I was not aware myself then that Colonel French was coming. I was not at all aware that Colonel French was coming down.

227. Your principal was?—Yes.

228. He keeps an office in Dublin?—Yes; and a telegraph message came to say that he was coming, and that was the first I knew of the matter.

[The Witness withdrew.

Mr. *Edward Hynes* called, and sworn; Examined by Mr. *Wordsworth.*

Mr. *E. Hynes.*

229. I BELIEVE you are a builder, are you not?—I am not.

230. Where do you live?—In the west of the county of Galway, when I am at home.

231. How far from the town of Galway?—About 16 or 20 Irish miles. I have a dwelling within 10 miles of it; but I am stopping at a place where my work is, which is about 19 miles.

232. You have a dwelling, you say, within 10 miles?—Yes; but I live at present where my work is, which is about 19 miles from Galway.

233. Are you a freeholder?—No; I am a freeman.

234. Of Galway?—Yes.

235. And you voted as such?—I did.

236. At the last election, how did you happen to vote; who did you vote for?—For Lord Dunkellin and Mr. O'Flaherty.

237. Now, on the day of polling, on your way to Galway, do remember seeing John Conner?—I do.

238. Where was it you met him?—About four miles between my dwelling and Galway, at a little town called Berners.

239. Had you and Conner have any talk then?—Very little.

240. About the election?—Very little.

241. I don't ask you what it was; I don't want to know what passed; but you had some talk with him?—I had.

242. About the election?—Yes.

243. After talking with Conner about the election, did you go on to Galway?—Yes.

244. Do you know Mr. John Oliver and Mr. John Gill?—I do.

245. Did you meet them again when you got to Galway?—I did.

246. Did Gill say anything to you?—He was canvassing me to vote, and I told him I would vote for whom I liked. I did not much like him, and I took him up short.

247. Did he offer you anything?—He offered me no sum of money, but he held out his hand and said, "I will give you that for your vote," holding out his hand in that manner (*describing it*). He offered me no sum of money. He said, "I will give you that for half your vote. Go wherever you like for the other." I told him I would go for Lord Dunkellin, and I did not want any money for my vote.

248. What did he do when you said that?—I took him up short. I told him I did not want money, and he went away; and then there was another came up, I believe one of his comrades.

249. When he said, "I will give you that for your vote," what did he do?—He departed from me.

250. No, no, you don't understand me. What did he do when he said, "I will give you that for half your vote"?—He held out his one hand.

251. What was in it?—Nothing; but the hand alone.

252. Whether it was "a bunch of fives" or not he meant to give you, you cannot say?—I derived no meaning from it; you may, whatever you think proper.

253. What was your answer to that?—I was not going to sell my vote; for I took it that he meant money, if anything.

254. Was Mr. Oliver close by, and could he hear what Gill said to you?—He was not.

255. Where was Oliver?—I don't know where he was then.

256. Not when you said this?—No.

257. But after Gill had said this, and made use of his one hand in the way you describe, did you see Oliver?—I did, about an hour after; something about that.

258. Where was it you saw him?—Near the Court-house; I saw the whole of them convenient to the Court-house.

259. How far is that from the post-office?—Not 20 perches, I believe.

260. When you met Oliver, did he talk to you about the elections?—I cannot positively say whether he did talk to me about the election; I cannot say he did, positively.

The learned Counsel then asked the witness some questions relating to a Mr. Mansell, but inasmuch as that name was not contained in the list of names applicable to this portion of the inquiry, Mr. *James* objecting to the examination being taken as evidence, the short-hand writer was requested to strike it out of the notes.

261. Mr. *Wordsworth.*] Do you remember seeing Mr. Anthony O'Flaherty on that day?—I do, sir.

262. How soon after you had seen Oliver?—I don't know whether it was before or afterwards.

263. Were you introduced to him by any one?—I was introduced to him by Mansell, the gentleman you have just spoken of.

264. What passed between you and Mr. O'Flaherty?—I told Mansell ——

265. Not between you and Mansell, but what passed between you and Mr. O'Flaherty?—I was talking about my car-hire; that was all that I was talking to him about.

266. You say Mansell introduced you to Mr. O'Flaherty; now, what took place?—I told Mr. O'Flaherty that I was asked by some of his men to give my vote, and I was going to give him a plumper, and I demanded them to give me my car-hire.

267. You say Mr. O'Flaherty?—Mansell, sir; and he put the question that that was legal expense and was proper to pay.

268. Mansell put the question to O'Flaherty, did he?—Asked what was legal expenses.

269. What was said in answer to that?—I said that I demanded only 2*l.* for the car-hire, for the legal expenses, which I expected Mr. O'Flaherty to pay; and Mr. O'Flaherty answered, well he could not say anything to that, but that I was to go Dr. Brown, and to Mr. Bernard O'Flaherty, and that they would manage that.

270. At that time, had you voted?—No.

271. When was it you first talked of it?—I asked Mansell first.

272. You asked for the car-hire?—Yes.

273. Then he asked O'Flaherty, and O'Flaherty said go to Dr. Brown?—Yes.

274. Who was it first said anything about its being legal expenses?—I said I wanted nothing for my vote, but to pay my legal expenses.

275. After that, he told you to go to Dr. Brown, and did he shake you by the hands?—No sir.

276. They do not do those things in Galway?—I do not know.

277. He did not shake you by the hands?—No.

278. Now, after having told you to go to Dr. Brown, where did you go to?—Mansell said he would pay the car-hire out of his own pocket.

279. Unless it was said in the hearing of Mr. O'Flaherty, I do not care about that; you say he offered to pay it himself?—Yes; he said he would do it himself.

280. Was that heard by Mr. O'Flaherty?—No, I do not think that it was; I cannot say.

281. Was he near by?—We were going away from Mr. O'Flaherty. I do not think Mr. O'Flaherty could hear it.

282. Where did you go to after you left Mansell and Mr. O'Flaherty?—I went into the tally-room with Mr. Oliver; into the tally-room to get a card.

283. With John Oliver?—With John Oliver.

284. You went with him to the tally-room to get a card?—Yes.

285. Did you get a card?—Yes.

286. Do you remember who gave it you?—I could not positively swear.

287. When you got that card had you voted?—No; I went in and voted.

288. When you got the card, you had not voted?—No.

 289. Having

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289. Having got it, you went and voted?—Yes.

290. Was it a brown card?—I cannot recollect; it was not a green one. It was either yellow or reddish colour, I think, as well as I can recollect; but I did not pay much attention to it, to see what it was; it was not green, I know.

291. Now, was it a card like that (*handing a card to the Witness*); you can read of course?—Yes, a little; it was that sort of print, but I do not think the colour was the same.

292. Were there such words as those on it?—There were no words on that which I got, except the print.

293. What was done with it afterwards?—Mr. Rochfort, the attorney, put his name to it in pencil.

294. Was that before you voted?—It was after I voted.

295. Did he put his initials to it after you voted?—He did.

296. On the same card that you got in the tally-room before you voted?—He did.

297. Now, having got the initials to this card, where did you go to?—There was another man that went with me, who took the card, and said, "come out with me, I will get your car expenses paid."

298. Who said that to you?—Another man, who I believe was agent for Mr. O'Flaherty; to the best of my belief I do not know whether he was or not.

299. What did you do then?—I went into a room where Dr. Brown was; in a private room.

300. You saw Dr. Brown sitting there?—Yes.

301. In what house was that?—Mr. Good's house, belonging, I think, to Mr. Kinnihan at present.

302. You went to a private room, where Dr. Brown was sitting, in the house opposite the post-office, is it not?—Yes.

303. What was done with your card?—It was handed to him.

304. What did he say?—He did not say a word, but he dropt a red seal upon it.

305. Had he a candle before him?—I think he had, for the wax, I know, dropped on it; I do not quite recollect whether he had, but it must be so.

306. What was done with it then?—The other man took it up, and told me to come with him.

307. Did you go with him?—I did.

308. Where did you and he go to?—He came part of the way in the town with me, and directed me to go to Mr. Oliver's, and the car expenses would be paid.

309. What did you do with the card?—I went to Mr. Oliver's, and I knocked at the hall door, and there was a young woman standing at the hall door; she asked me what I wanted, was it flour? "No," I said; and I showed her the card; and she said, "Come in."

310. You went to Mr. Oliver's, and saw a woman at the door?—She called me, and asked my business, and I showed her the card, and she said nothing; and I asked her what I was to do with it, and she took me into the back part of the house, of the hall, and told me to drop the card through a window, which she showed me; and so I did.

311. Where?—A broken pane in the window, at the end of the hall; and so I did.

312. At the rear of the hall?—At the rear of the hall.

313. What did you do then?—I did so; and I was going to walk out another way, and I met a young man of the name of Husher, I think; and he asked me if I was going out to get anything, and I asked him if I was to go upstairs, and he said "No," I was to retire back again.

314. You were going away?—Yes.

315. Without anything?—Yes.

316. And he told you to go back?—He did.

317. What did you do?—The same young woman directed me to go and put my hand to where I put the card in first, and then I received 2 *l.*

318. You received 2 *l.*?—Two 1 *l.* notes.

319. Well, you got two 1 *l.* notes; could you see the person who gave you those notes?—Impossible.

320. How

320. How much of him did you see?—I could not see half an inch of his finger; whether it was a *his* or *her* I do not know.

321. You received the 2 *l.* "legal expenses"?—Yes; I could not swear that I saw any finger, but I saw the notes.

322. The "legal expenses" you received, from whom you could not see?—I do not know whether it was a man or a woman.

323. You say that Mr. Rochfort had put his initials on this card?—Yes.

324. Did you go and see Mr. Rochfort after you got the two 1 *l.* notes?—I did; I said I expected to be paid for the car back; that I expected that they would send a car back with me. He said he would order a car for me.

325. That he would order a car to take you back?—Yes.

326. Was there anything said by him about Castlebar?—No, not by him.

Cross-examined by Mr. *James.*

327. Whether it was a lady's or a gentleman's hand you cannot say?—I could hardly swear which, whether it was a cat's paw or not, I do not know.

328. Were you bribed for your vote?—No, I would not take it.

329. Would you take a bribe, you are a man humbly dressed, but a honest fellow, and you would not take a bribe?—If I had 100 *l.* offered I would not take it.

330. What are you by business?—A builder.

331. Where did you carry on your business?—In the county of Galway.

332. How far did you come in the car to vote at this election?—About 19 Irish miles.

333. That is 26 or 27 English I believe?—I believe so.

334. How many is it?—I do not.

335. Twenty-five, is it not?—It may be.

336. Had you hired the car?—Yes.

337. When you were going to give your vote was it then that you mentioned that you had incurred expense in coming up to the poll?—Yes, that made me demand it.

338. What had the car cost you?—I do not know.

339. What would it cost at an election time, when the cars are always engaged to come 26 miles?—I do not know, I cannot say. They had 1 *l.* a day for a town car whatever distance they run.

340. Do you mean for 26 miles?—I do not know as to 26 miles.

341. What is the hire of a cab?—About 2 *l.* 10 *s.* if I went back with it.

342. At the time, near about 2 *l.* to bring you back and take you in, that is what it would be?—I should think so.

343. Did you claim your expenses back?—I did, because I had let the car go back, I mentioned my expenses about the car to take me back.

344. While you were going, that is, and this was coming, did the car go back without you?—Yes.

345. I believe since the election you have claimed that you have not been paid the expenses of your car back?—Yes I have.

346. Who of?—Of Oliver.

347. Who else?—Of Oliver, and all the agents I used to meet.

348. When did you go back?—I went back the following day after that.

349. Were you engaged on what is called a job there, in the business of building?—I was.

350. Had you a contract?—Yes, I had a contract.

351. Have your expenses of going back ever been paid to you?—Never, to the best of my belief.

352. No one knows better than you. Have you been paid?—No.

353. Just take that card in your hand. (*Handing a card to the Witness.*) You voted at the election?—Yes.

354. Had you a yellow card?—Something yellow or brown, I do not know which.

355. You voted for O'Flaherty and Lord Dunkellin?—Yes.

356. Had you not the names of both written in pencil by Mr. Rochfort, like that. Had you not Mr. O'Flaherty's name and Lord Dunkellin's name?—*No answer*

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357. You say that Mr. Rochfort wrote something in pencil before you voted for Mr. O'Flaherty and Lord Dunkellin?—"For O'Flaherty and Lord Dunkellin."

358. Were not the cards printed "O'Flaherty" and if you said you were going to vote for Lord Dunkellin too, did not Mr. Rochfort put his initials as they are there put, and "Lord Dunkellin"?—No, there were two separate booth rooms, I voted for Lord Dunkellin in one booth, and for Mr. O'Flaherty in another.

359. Did not Mr. Rochfort when he gave you Mr. O'Flaherty's polling-card, write on it "and Dunkellin"?—I do not recollect, for I had another card for Lord Dunkellin himself.

360. Did the card contain "O'Flaherty," printed on one side?—It did.

361. And the name and number of your residence whatever it was, on the other?—Yes.

362. When you took up your card to the booth, you presented the card, and your number was found in the register?—Yes.

363. Have you voted in that way at elections before?—Never.

364. Lord Dunkellen had cards too?—He had.

365. One like that?—Yes.

366. And there were cards of that kind, with the name and so on, in the register?—Yes.

Examined by the *Committee.*

367. Where did you get your car to bring you that 19 miles?—I got it where I worked.

368. Whose car was it?—A countryman of mine, named Hernan.

369. Does he let out post-cars?—No.

370. Did you bargain with him for this?—No.

371. What is the usual price per mile for one man?—I could not swear to that.

372. Did you never hear what the price was?—I have heard 6 *d.*, sir; but I cannot say.

373. Did you pay your car back?—I had to pay it afterwards.

374. What did you pay?—I had only to pay 4*s.* 6 *d.* for nine miles back with that car, and I walked the rest.

375. You paid nothing to your friend for his car?—Yes, I did.

376. What did you pay?—I think about 1 *l.* 14 *s.*, including lodging-money.

377. What did you pay him for the car, that first day?—I think about 1 *l.* 14*s.*; I could not be very accurate.

378. What was his name?—Hernan. The car was two days coming and going.

379. When did you pay him?—Three weeks after. I was lodging in his house, and I paid it in the bill. As well as I recollect, that was what was in the bill. I used to pay monthly or so; and out of respect to him, I did not doubt what he put in the bill.

380. Did you pay 1 *l.* 14*s.*, with lodging and so on; is that so?—To the best of my belief, for the car; I cannot positively recollect; I think it was about that.

381. How many miles did you walk?—About nine miles. I took a car, and then I walked from that the other part of the way.

382. How far?—About nine Irish miles.

383. What did you pay?—In the full distance, or coming in for the first time.

384. For the one journey?—1 *l.* 14 *s.*, as near as I remember.

385. Do you mean to swear that you paid him 1 *l.* 14 *s.* for the one journey into Galway?—To the best of my recollection, that is so; I cannot positively swear.

386. You did not go back that day?—I went back to my house on the following day for 4 *s.* 6 *d.* part of the way, and walked the rest of the way.

387. Did he give you any bill?—No; that was put in my lodging bill, to the best of my recollection; that was for the car.

388. You came 19 miles on the first day?—We consider it 19 Irish miles.

Mr. *James Connor,* called and sworn; Examined by Mr. *Shaw.*

Mr. *J. Connor.*

389. YOU live at Galway?—Yes.

390. What is your trade?—A baker.

391. You

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391. You were a voter at the last election, were you not?—Yes, sir.

392. Were you canvassed by Mr. O'Flaherty?—I was.

393. Do you recollect when?—I do.

394. When was it?—I could not say what day of the week it was.

395. Before the day of election?—Yes.

396. Was any one with Mr. O'Flaherty when he canvassed you?—There were a great deal of other men along with him, who were canvassing along with him, as well as himself. He came into the house where I lived; I happened to be there when they were passing, and they went in, and then he was with me where I was working; he called in there too.

397. Was Mr. Oliver with him on that occasion?—He was, and different other men along with him on the same occasion.

398. Now, do you recollect the morning of the polling at the election?—Yes.

399. Now, on that morning, before you voted, do you recollect seeing Mr. John Oliver?—I recollect; I was at breakfast when he came to me to hurry me to the poll, and I was not done breakfast, and his clerk came in again to hurry me secondly to the poll, and he said he would see me well paid for it.

400. What was his name?—John Oliver and Usher his clerk came afterwards to hurry me.

401. What did Usher say?—He asked me would I plump for Mr. O'Flaherty, or was I going to give a split to Colonel French; he asked me either to plump for O'Flaherty, or to give a split to Lord Dunkellin. My employer wished me to give a split to Colonel French, and I would like to do the same myself when I went down to plump for Mr. O'Flaherty.

402. You said something about being paid for it, what was that?—Being paid; Usher told me I would be well paid for voting, for going down.

403. Now, did you go with Usher anywhere to get a ticket?—No, not with Usher; I did not see Usher again from that time until I was polled.

404. Did Usher leave you?—He did so.

405. Did you go anywhere to get a ticket?—Not at that time; I did not go to poll at all at that time.

406. Did you go to get a ticket before you voted?—I did so.

407. Where did you go?—There was a room on the one side where we went to the poll.

408. Did you go to Kinahan's house?—No.

409. Where did you get your ticket?—I got my ticket before I went to the poll at the rail where they were polling, and then it was directly that I would go to the poll.

410. Do you recollect who gave you the ticket?—I do.

411. Who was it?—It was Mr. Martin that gave me the ticket after I polled.

412. You polled for Mr. O'Flaherty?—I did.

413. After you had polled, where did you go?—I went straight after polling, and I did not expect I would get anything for polling at that time; but when I went out I was met by one of my own trade, and he says, "Have you a card;" I have, says I.

414. Where did you go to?—I was going home, sir.

415. But where did you go to; did you go to any house of any sort?—No; I tell you I met this baker; I met this baker, and he had polled before I did.

Mr. *James.*] That is not evidence against the Sitting Member.

The *Witness.*] After I polled I went out, and I had got a ticket, and did not know what to do with it, or if I had anything from it; and I met a man of my own trade, and he says, "Did you get a ticket?" I said, "Yes." He said, "Where is it; show it to me;" and I showed it him. He says, "Where are you going with it?" I said I did not know where to go; I showed him the card, and he directed me where to go.

416. Where did you go?—I went to Dr. Brown's; in an office where Dr. Brown was.

417. Where was Dr. Brown?—He was in a room.

418. In what house?—In a house opposite the Post-office, as far as I recollect. I do not rightly know which is the house; I think it was Mr. Good's house.

419. Will you tell us what passed between you and Dr. Brown?—What passed between us; there were but two words passed between him and me; but when I handed

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handed my card to him he looked at it, and says he, "You plump for Mr. O'Flaherty. "Yes, sir," says I; and there was a candle on the table, and he put sealing-wax on the back of the ticket. "Now," he says, "do you know where to go?" "No," says I, "I do not."

420. He sealed the card?—"Yes;" and says he, "do you know where to go to?" "No, sir," says I; and he sealed the card for me, and told me to go to Oliver's.

421. Where does Mr. Oliver live?—In Mainguard-street.

422. Well, go on; did you go to Mr. Oliver?—I went straight to Mr. Oliver, after his sealing the ticket for me.

423. Who did you see there?—I saw Mr. Oliver's daughter when I went in.

424. What did she say to you?—As soon as she opened the door she looked at the ticket, and she said, "You have plumped for Mr. O'Flaherty." "I did," says I, and she says, "Come, and I will show you where to go."

425. Where did she take you to?—She brought me in the hall-way, and to the right as I turned in the hall into the bakehouse, she showed me where to stand and put up the card and put it in the hole, and said I would get something there.

426. By the partition that was?—By the partition; I came in the hall-way, and she showed me where to put in my card, and I did it, and I got two 1 *l.* notes out.

427. How large was the hole?—Oh, scarcely as large as the card.

428. You put in your card?—Yes.

429. After you put in your card, did you see anything?—As soon as I put in the card, the notes were out as soon as the card was in.

430. You took them, I suppose?—I did.

431. Did you see anything more of her?—No, sir, only what I told you.

432. Did you see anything else besides the notes and fingers?—As soon as I had got the notes Usher was behind me, and he brought me out through the bakehouse; a back way, not the way that I came in.

433. Did you see anything else but the notes and the fingers in this hole?—No sir, I could not see who it was.

Mr. *Benjamin Mathews*, called, and sworn; Examined by Mr. *Shaw*.

Mr. *B. Mathews.*

434. ARE you a baker?—Yes.

435. At Galway?—At Galway, sir.

436. Did you vote at the last election?—Yes.

437. Who for?—Mr. O'Flaherty and Lord Dunkellin.

438. On the day of polling do you remember seeing John Oliver?—On the day of polling.

439. Before you polled?—Yes; I seed him in the Court-house that day, but I had no conversation with him.

440. You saw him?—Yes.

441. Was that before you polled; before you voted?—No sir; I saw him on the day of the hustings.

442. The nomination day; on the Monday?—Yes.

443. What did Oliver say to you on that day?—He told me that he had me on his list, and that I would be compensated by voting for Mr. O'Flaherty.

444. Now, after you had voted on the polling-day, did you go anywhere?—Yes; I was coming home after voting.

445. You met a person; I don't want to know what passed, but you met some one?—Yes, I did.

446. In consequence of what that some one said to you, did you go to the tally-room opposite the Post-office?—I did, sir.

447. And did you see Dr. Brown?—I did, sir.

448. Now, had you a card with you?—I had, sir.

449. What did you do with the card when you saw Dr. Brown?—I presented it to Dr. Brown, and I told him to seal it.

450. Did he seal it?—He did, sir.

451. After he sealed it, did Dr. Brown say anything to you?—No; but I said to him; I told him that I was ignorant then, and please to direct me what I was to do with the card.

452. What

452. What did Dr. Brown say to that?—He asked me, did I know Mr. Oliver's house; I said I did; he told me to go down there before him.

453. Did you go down before him?—I did, sir.

454. When you got there, or while you were there, did you see Dr. Brown?—Before I entered Mr. Oliver's house, I see Dr. Brown coming down the other end of the street, at the upper end of the street.

455. Did you go inside Oliver's house?—I did, sir.

456. Did you see where Dr. Brown went?—I saw Dr. Brown before I entered the hall door, go into the shop door, and I entered by the hall door.

457. Did you see any other person there besides Dr. Brown?—I did, sir.

458. Who were they?—Two brothers of the name of M'Loughlan.

459. Were they voters?—They were, sir.

460. Did you see them do anything in the house?—Yes.

461. Those two brothers?—I did, sir.

462. What did you see them do?—I see them go; I see the girl direct them to go over to a part in the hall, and I see them present their hands up.

463. Did you see them take their hands down?—I did.

464. Could you see whether there was anything in their hands?—No, I could not.

465. After they got their hands back again, did they stop or go away?—They went away and I was left alone then.

466. What did you do upon being left alone?—The girl told me to go over and put in my card through a hole.

467. Did you do so?—I did.

468. What did you get?—When I withdrew my hand there was something put into it, and when I opened my hand there were two 1 *l.* notes.

469. Could you see the body of the person who gave them to you?—No.

460. How much of the person did you see?—I could not see any person; it was high above; I could not even see the fingers.

471. You say it was high above?—It was, sir.

472. Had you to reach up, in that way (*describing it*)?—You had to reach up in that manner; I could not have an opportunity of seeing him.

473. Having to reach up in the way that you say, I need hardly ask you whether your head was as high?—Not high enough to see him through the hole.

474. How large was that hole?—It was about a little larger than the size of the hand; the hand could pass in and out quite easy.

Cross-examined by Mr. *James.*

475. Had anything been said to you about money for your vote before you voted?—No, sir.

476. Had anything been said?—No; only that I was to be remunerated.

477. Who said that?—Mr. Oliver; I understood to be remunerated for voting.

478. What did you understand?—I took it in the light of getting money.

478*. Had you received money before?—I had not.

479. Never?—No.

480. How long have you had a vote for the borough?—I had a vote in 1832.

481. As householder or freeman?—As freeholder.

482. Renting a house?—Leasehold or freehold.

Examined by *Committee.*

483. Did the two M'Loughlans put up their hands to the same hole that you put up yours?—They did.

484. And in the same place?—Yes.

485. Was it Oliver who told you that he had you on his list?—Yes.

486. It was Oliver?—Yes.

Mr. *Timothy Newell*, called, and sworn; Examined by Mr. *Shaw*.

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487. You live in Galway?—Yes.
488. What are you?—A chandler.
489. You are a freeman of Galway?—Yes.
490. Do you recollect the polling day at the last election?—I do.
491. Do you know Miles Ward?—I do.
492. Where does he live?—He lives in William Street.
493. On the day of polling did you go to Miles Ward's house?—I did.
494. Did any one go with you?—There did.
495. Who was it?—Three more men.
496. Who were they?—A man of the name of Codyre, and another man of the name of Welch, and I do not recollect the other man's name.
497. Did you have any conversation with Ward as to voting?

Mr. *James* objected that Ward was not on the list.

498. Mr. *Shaw.*] Had you any conversation with Ward?—I had.
499. Where did you go after leaving Ward's?—I went to the poll.
500. Whom did you vote for?—For Mr. O'Flaherty and Lord Dunkellin.
501. Did you get any cards after voting?—I got the cards that I brought with me from Mr. Ward's; the cards I got from Mr. Ward to go to poll with.
502. Ward gave you a card?—He did.
503. Did you take this card anywhere after having voted?—Yes.
504. Where did you go to?—To Dr. Brown.
505. Where was that?—In a room in a house of Mr. Good's, up-stairs.
506. Where is it situate?—I believe it was a committee-room.
507. Was it opposite the post-office?—Yes, sir.
508. You saw Dr. Brown, you say?—I did.
509. Did you say anything to Dr. Brown or Dr. Brown to you?—Not a word; I handed him the card; he did not speak to me or I to him.
510. What did he do with the card?—He put a seal upon it.
511. And then what did he do with it?—After that he handed it to me.
512. And you left the house?—I did.
513. Where did you then go to?—Down to Mr. Oliver's house.
514. Mr. John Oliver's?—Yes.
515. In Mainguard-street?—Yes.
516. What did you say at Oliver's house?—I see a young woman at the door, a daughter of his.
517. What did she say to you?—She took the card from me, and told me to go inside.
518. Where did you go?—Into the bakehouse.
519. Were there any other people there?—Yes, there was.
520. Who were they?—Some bakers.
521. Was there anything more passed?—That is all I know of.
522. What did you do when you got to the bakehouse?—I stayed there about four or five minutes; and there was a baker took me by the shoulder, and told me te go where the money was.
523. Where did you go to?—I went forward from where I stood; I believe a few yards across the flue, and I put my hand to where I see the money.
524. Was there a hole in the partition?—There was.
525. What did you do?—I took the money with my hand.
526. Did you see the card that you brought?—I did not see the card after the young woman took it from me at the door.
527. What did you get?—Two 1 *l.* notes.
528. Did you see the person whose hand it was put the two 1 *l.* notes into yours?—No.
529. Did you see any one else before you left Oliver's premises?—I see a man that was out in the yard of the name of Usher, and he directed me out.
530. Which way did you go out?—Not the way that I came in, but another and a different way.

Mr.

Mr. *Michael Codyre*, called, and sworn; and Examined by Mr. *Shaw*.

531. WHAT are you?—A ropemaker.

532. Where do you live?—At Prospect-place, Galway.

533. Are you a freeman of Galway?—Yes.

534. Do do you recollect the day of election?—I do, well.

535. In the morning of that day were you at Miles Ward's?—Yes, I was.

536. Who was with you?—Timothy Newell.

537. Anybody else?—There was B. Walsh and Finigan De Smith.

538. In Ward's house, you saw Ward?—Yes, sir.

539. Did Ward give you anything?—He gave me some drink.

540. What did he give you?—Some drink.

541. Anything else?—He brought me inside, and gave me a card to go to th poll.

542. When you left Ward's, where did you go to?—I went to the court-house.

543. Did you poll?—Yes.

544. For whom?—For Mr. O'Flaherty and Lord Dunkellin.

545. Where did you go after you polled?—I went down to Mr. Oliver's.

546. Before you went to Oliver's, did you go to any place first?—I met Mr. Ward after coming out, and I left my card inside at the time that I went in to poll; I did not know the reason of the card, and I left it inside.

547. At the polling-booth?—Yes. When I came out again I told Mr. Ward I had done that; he says, "Have you your card?" "No," says I. "Have you left it inside?" says he. "Yes," says I; "I did not know the difference." "Well," says he, "go back;" and I went in for the card, and when I came out he told me to go and get it signed.

548. Did you go?—Yes, I did.

549. Where did you go to?—First to Mr. Oliver's bakehouse, to the place where they were getting the money, and it was not signed; I did not get it sealed at the time; I thought I would get the money for the card without its being sealed, and when I went down to show the card, it would not do without getting it sealed by Dr. Brown; I was directed then up to where Dr. Brown was, and I went in there.

550. Where was that?—In Mr. Good's old shop.

551. Did you give him the card?—I went into a private room, and I gave him the card, and he sealed it.

552. This was opposite the post-office?—Yes, just exactly opposite.

553. Where did you go?—I went to Oliver's, and I got the money.

554. When you went to Oliver's upon the second occasion, who did you see? I see the young woman.

555. Did she direct you where to go?—She took the card, and directed me in.

556. Where did you go?—I went into the bakehouse, and I stood on a bag of flour, and I put up my hand and I got 2*l.*

557. Did you see the person who gave you the 2*l.*?—No.

558. Did you see any one when you left Oliver's this time?—Before I went in at all to Oliver's the first time, I met Newell coming out with 2*l.* in his hand, and he showed it me.

559. Before you went in?—Yes.

560. As you were going out did you see any one?—I saw Usher in the bakehouse, and he directed me out the back way.

561. You went in the front way?—Yes.

Examined by the *Committee*.

562. You say you left the card in the court-house; did you give it to any one, or throw it away?—No, I gave it to Mr. Oliver.

563. At the court-house you left it behind you; when you went to poll, you left your card behind you?—Yes, I did.

Mr. *M. Codyre.*

10 July 1857.

564. Who did you leave it with?—I cannot say; with the gentleman at the table; I handed it in, and when I went back again for it I got it.

565. Did you intend to part with it entirely when you gave it up?—Yes, when I got the 2*l.* I parted with it.

566. At the court-house, when you gave up the card?—Yes; I did not know what the reason of the card was.

567. Did you know the value of the card then?—I did not.

Mr. *David Corcoran*, called, and sworn; Examined by Mr. *Wordsworth.*

Mr. *D. Corcoran.*

568. ARE you a farmer?—Yes.

569. At Carrabrowne?—At Carrabrowne.

570. That is just outside Galway?—It is in the county town of Galway.

571. About a mile or a mile-and-a-half from Galway?—About two miles by the one road, and three by the other.

572. You are a voter for Galway?—Yes, I have a freeholding.

573. Do you remember voting at the last election?—That is in 1852?

574. No, the last election?—I do.

575. For whom did you vote?—For Lord Dunkellin and Anthony O'Flaherty.

576. Now, on the Sunday week before the election—— ?—I do, sir.

577. Just wait a moment, and attend to my question. Do you remember seeing Mr. O'Flaherty there at Carrabrowne?—I do, sir.

578. How long was that before the day of your giving your vote; your polling?—I think it was on the 22d March, on a Sunday.

579. Was that at Carrabrowne?—It was.

580. What time of the day was it?—It was before prayers in the morning.

581. Was there any one with Mr. O'Flaherty?—There were several.

582. Do you remember their names?—I do remember a deal of their names, Bernard O'Flaherty, Rochfort, the attorney, Miles Ward, Martin Tierney, and it is my opinion that Mr. Burke, of Deal-street, was there.

583. Do not give us any name of which you are not positive?—I cannot swear to his being there; but I have no doubt of those, and several others.

584. Do you know a man of the name of John Gill?—I do sir.

585. Was he there?—He was.

586. Do you know a man of the name of John Oliver, the baker?—I do.

587. Was he there?—I think he was there too, sir.

588. Where were you when you saw Mr. O'Flaherty?—I was at my house. He came up to my house, and I told Mr. O'Flaherty of what I suffered at the last election in 1852, and that I got an awful beating in 1852; and I told him I would not give my vote, and I would not know what I would do. I would not give an answer about giving my vote.

589. Because you got a beating?—Yes; and I told him I would rather not have a vote at all.

590. You told him this on the 22d?—At the time he came to my house with those others with him.

591. Were there any of your neighbours there who were voters?—I have.

592. Were any of them there, or close by, when Mr. O'Flaherty came to your house?—I did not see any of the voters, but the sons of Duggan who was a freeholder called to the gentlemen for the price of the drink.

593. Who was it?—The sons of John Duggan, a freeholder.

594. A voter of Galway?—Yes.

595. You know Mr. Bernard O'Flaherty?—I do, sir.

596. Where was Mr. Bernard O'Flaherty when Duggan asked for the price of the drink?—He was moving on the road towards Galway.

597. Who was?—Mr. Anthony O'Flaherty.

598. Going to Galway?—Moving on to Galway, and I was about a distance of 50 yards from them when Mr. O'Flaherty called me up, and gave me a 1*l.* note to give to those boys for drink.

599. They call men boys in Ireland?—Yes.

600. *Committee.*]

600. *Committee.*] Was it Bernard O'Flaherty who called you back, and gave you 1 *l.*?—It was, sir.

601. Mr. *Wordsworth.*] After this, 1 *l.* was given to you, now what became of it?—Of the 1 *l*, sir?

602. Yes?—I gave those boys the half, and myself and some of the remainder of the neighbours, took the rest in drink.

603. You say you gave up half of it to the boys of Duggan?—I did.

604. And the other half, what did you do with that?—Myself and the neighbours took it on the 25th of March, for I did not go to Galway that day.

605. What did you do; I do not understand you?—Myself, and some of the other neighbours drank it on the 25th of March.

606. How many of the freeholders were there?—Only one was with me on that day.

607. When you drank it on the 25th of March, how many were there?—There were four, sir; Timothy Glynn, Patrick Glynn, Duggan, and another.

608. All voters for Galway?—Yes; voters for Galway.

609. Before you received the 1 *l.* from Mr. Bernard O'Flaherty, did you see whether Bernard O'Flaherty and Mr. Anthony O'Flaherty were together?—Upon my word I could not decide upon that, for I was a distance of 50 yards, and I was called by Mr. Bernard O'Flaherty, and they were all on the road together, and I a distance of about 50 yards from them.

610. Now after the 22d, on the Sunday, were you canvassed by any one else for your vote?—No, indeed, sir.

611. Did you known Miles Ward?—I did.

612. After this Sunday on the 22d, when you saw Mr. O'Flaherty at Carrabrowne, do you remember Miles Ward coming to you?—Yes.

613. Before you polled?—That I do; before we polled.

614. Were you canvassed by him?—Yes. I told him I would vote for O'Flaherty and Lord Dunkellin.

615. Now, on the day of polling, do you remember going in from Carrabrowne?—I do, sir, to Galway.

616. And were there any other voters with you?—Yes; there was a car came out to take us in.

617. How many voters were there?—There were two cars for Lord Dunkellin, and two for Mr. O'Flaherty, ordered to take the freeholders of Carrabrowne in.

618. How many voters went with you?—There did 11 come along with me.

619. Was one of them a man named Maliachey Maloney?—Yes.

620. Was another John Duggan?—Yes.

621. And Michael Murphy?—Yes.

622. Pat Codum?—Yes.

623. And Timothy Glynn?—Yes.

624. When you all went to Galway, do you remember where you went to; to what house?—Yes; we went to a house of a man named Kerrigan, who keeps a public house near the town court house.

625. How near was that to the polling booth?—I do not think it was above 20 yards from the polling booth; I do not think it was 20 yards.

626. While you were at Kerrigan's, do you remember Miles Ward coming in?—I do.

627. What did he say to you when he came in?—He tendered half of 3 *l.* notes, and I took one myself, and so did Duggan, and Michael Murphy, and it was Teddy Glynn and Pat Codum and Mallachey Maloney, who objected to not getting the other half; that they would not give their vote for Mr. O'Flaherty; and that if they did not get their note in full, they would not poll for Mr. O'Flaherty.

628. What else?—Then I gave back the note, the half note, and so did Murphy, and so did Duggan.

629. What did you say when you gave them back?—Mr. Ward told us that if we polled for Mr. O'Flaherty, that we would be compensated, and that we would be sure of getting the money.

630. After that did you vote?—I did, sir.

631. Who did you vote for?—For Lord Dunkellin and Mr. Anthony O'Flaherty.

632. Did you ever get what Ward promised you?—No, I did not.

Mr. *D. Corcoran.*

10 July 1857.

Cross-examined by Mr. *James.*

633. How many of you were there at the time when Duggan's boy came up; where were you then, how far from Galway?—We were about three miles from Galway.

634. Carrabrowne is about three miles from Galway?—Yes.

635. Duggan's boys you say, asked for something to drink?—Yes.

636. How old are those two boys should you say?—One of them is about 18 years, and the other about 15.

637. Who did they address, those two boys, when they asked for something to drink?—It was to Mr. O'Flaherty, they called for the price of the drink.

638. Were they the people who spoke?—They were the boys who spoke, and brought it round to call for the price of the drink.

639. Only those two?—There were twelve of them in number, and those were the boys who called for it.

640. How many boys were there that were not freeholders?—None of them were freeholders.

641. How many people were assembled together?—I believe that there were about 12 or 13 of them.

642. How many of them were freeholders?—None of them, the only freeholder among them was myself.

643. Then there were about 12 people there, boys and others, who were not voters at all?—But I was called by Mr. O'Flaherty, and he gave me a 1 *l.* note, and told me to give it to the boys.

644. To give it to the boys?—He did.

645. I am asking how many were there when the boys asked for something to drink?—Twelve or thirteen.

646. Who was it spoke?—The two Duggans, the sons of the freeholder.

647. I will just ask you, you were the only voter there?—Yes.

648. Which Mr. O'Flaherty gave you the 1 *l.*?—Mr. Bernard O'Flaherty.

649. To spend among the boys?—Yes.

650. And you received the 1 *l.* to spend among these boys?—I did, sir.

651. Was any portion of that given for your vote?—Of the 1 *l.*?

652. Yes.—I cannot say it was.

653. Or was it given to you to spend among the boys?—Yes, it was.

654. Where was Anthony O'Flaherty when Bernard O'Flaherty gave you 1 *l.*?—He was walking along with them.

655. Had he gone on?—He was moving on.

656. Did Bernard O'Flaherty come back and give it to you?—He came round in this way, and the 1 *l.* note (*describing it*).

657. He left Mr. O'Flaherty, and came back and gave you 1 *l.* to spend among these 12 boys; is that the history of this wonderful transaction?—Yes.

Re-examined by Mr. *Wordsworth.*

658. You gave half to the boys, and half you spent on the 25th with some other voters?—Yes, sir, with some other voters.

659. Had you the drink on the 25th?—Yes sir, we had.

[Adjourned till Eleven o'clock To-morrow.

Sabbati, 11° *die Julii*, 1857.

MEMBERS PRESENT.

John Christopher Ewart, Esq.
Alexander William Kinglake (Bridgwater).
Lord Lovaine.
Henry Gerard Sturt, Esq.

GEORGE CLIVE, Esq., IN THE CHAIR.

Patrick Glynn called, and sworn; Examined by Mr. *Shaw*.

Patrick Glynn.
11 July 1857.

660. YOU live at Carrabrowne, I believe?—I do, sir.

661. At the last election for Galway you were a voter, were you not?—I was.

662. Do you recollect, on the morning of the election, going into Galway?—I do.

663. Was any one accompanying you?—There was.

664. Who went with you?—The tenants.

665. Give me the names?—Seven of them went on their way with me.

666. Who were they?—David Corcoran, Mallachey Maloney, John Duggan, Michael Murphy, Pat Codum, and a few more of them. They are the parties that I have just in my memory.

667. Was there also a man of the name of Timothy Glynn?—There was.

668. Where did you go to in Galway?—To a house we generally resort to and sat in a room there.

669. Is that a public-house?—It is.

670. Who keeps it?—Mr. Kerrigan.

671. And did these friends of yours go with you?—They did, sir.

672. Did you find any person at Kerrigan's?—No, not at the time I came in; we sat in a separate room by ourselves, so as to stop there until such time as we should be called upon to give our votes.

673. Did any one come into the room?—Yes.

674. Who was that?—Miles Ward.

675. Who is Miles Ward?—I suppose he is an agent of Mr. O'Flaherty, as I understand.

676. Did you hear any conversation pass?—Yes, he first came in and made almost an agreement with the tenants, with those certain parties.

677. What did he say when he entered the room?—That if they voted for Mr. O'Flaherty, that he would compensate them with 3 *l.* each.

678. Did he ask you to vote?—He did, sir.

679. What did he say?—That Ward would compensate the tenants as far as 3 *l.* each, and give him half notes in hand, and after voting they would get the other half.

680. *Committee.*] Did he give them the half notes then?—He gave the half notes to three of the parties at that present time.

681. Mr. *Shaw.*] Who were they?—David Corcoran, John Duggan and Michael Murphy.

682. Did he say anything?—He was to give the four others the same; but one of the parties objected to the half note, without getting the full note.

683. Who was that?—Teddy Glynn.

684. He objected?—Yes, without getting the full note.

685. *Committee.*] Who objected?—

686. Mr. *Shaw.*] Timothy Glynn objected, you say?—Yes, sir.

687. He objected to receiving a half note?—He did.

688. Did Ward say anything to his objection?—Ward said that he would get the other half as soon as they voted; then they all objected to receive any more.

689. *Committee.*] Well?—Ward went out in the street at that very moment, because he gave the half notes first and foremost, in order to see the tenants were there; and when he found the seven, he read over their names. That was the time that he gave the notes to those three parties.

Patrick Glynn.

690. Now there were, you say, four others who did not receive them?—There were.

691. How was that?—Because this Timothy Glynn objected, without getting the full note; and neither of them would receive any more, nor have any interference with them any more.

692. Was any offer made to the other three?—Yes, to four of them, and I objected to it altogether.

693. What ultimately became of these half notes?—I cannot say.

694. Did they keep them?—I cannot say.

695. Did you see them returned to Ward?—Well, indeed, I could not say.

696. I wish to ask you whether, before what you have related, anything took place, and whether you were asked who you were going to vote for?—I was asked at a different time before that by Ward.

697. What happened when he first came into the room?—When he first came into the room he axed those parties, and that if in case they were to vote for Mr. O'Flaherty, that he would give them 3*l.* a man.

698. *Committee.*] Three pounds a man?—Yes, sir; 3*l.* each.

699. Mr. *Shaw.*] Was there anything said as to the remaining half of the notes?—He stated, in case they voted for Mr. O'Flaherty, he would give the other half note after their voting.

Timothy Glynn called, and sworn; Examined by Mr. *Wordsworth.*

Timothy Glynn.

700. ARE you a farmer?—Yes, sir.

701. Do you live at Kurowta?—Yes.

702. Is that a part of the Carrabrowne estate?—It is, sir.

703. Are you a voter for the town of Galway?—Yes, sir.

704. Did you vote at the last election?—I did not vote at all.

705. You did not vote at all?—No, sir.

706. Do you remember the election in Galway?—I do.

707. The polling day?—I do.

708. And you remember going into the town on that day?—Yes.

709. You are a voter then, but you did not vote?—Yes.

710. Now, do you remember seeing Anthony O'Flaherty?—Yes, I did.

711. Where was it you saw him; was it at Carrabrowne, or Galway?—I saw him in Carrabrowne and in Galway.

712. In Carrabrowne first?—Yes.

713. Was that on a Sunday?—It was.

714. Do you remember what was said to him?—I do.

715. What was it?—He axed me to vote for him; I promised him I would, sir.

716. This was in Carrabrowne?—Yes.

717. Who was with him when he asked you for your vote?—Mr. Bernard O'Flaherty was there, and a good many other tenants.

718. A good many of the tenants?—Yes; of the Carrabrowne tenants.

719. Voters of Galway?—Yes.

720. Do you know Miles Ward?—I do know him.

721. Was he with Mr. O'Flaherty at Carrabrowne on that day when he asked you for your vote?—I am not sure, sir.

722. Do you know John Oliver?—Yes, I do.

723. Was he with him on that occasion?—I did not see him.

724. He asked you for your votes, and you say you promised to vote for him?—Yes.

725. You know David Corcoran?—I do, sir.

726. Before Mr. O'Flaherty had asked you to vote for him, had you seen Corcoran on that day?—No, sir; I had not.

727. Did you see him afterwards?—I did.

728. When you saw him afterwards had you any talk or conversation with Corcoran? I do not ask you what it was?—I had.

729. Had you some talk together?—We had.

730. Now after this Sunday when did you next see Mr. O'Flaherty?—On the same Sunday I saw him in Galway again.

731. Be good enough to tell the Committee—— ?—Yes; he told me ——

732. Now

732. Now just attend and wait for my question. You saw Corcoran?—I did.

733. After you had seen Mr. O'Flaherty the first time?—Yes.

734. What did you say to Mr. O'Flaherty when you saw him the second time; do you remember what you said when you saw him the second time?—Yes, sir.

735. What was it?—I asked him whether he was up to his word, as he promised to treat us when we would go to the town; I told him that he promised to treat us.

736. What did he say to that?—He said, "Mr. Bernard O'Flaherty will see to it; you want to be bribed."

737. *Committee.*] You say you asked him whether he was up to his word?—Yes.

738. Was that Bernard O'Flaherty or the Sitting Member, Mr. Anthony O'Flaherty?—It was Mr. Bernard O'Flaherty that promised it.

739. It was Mr. Bernard O'Flaherty?—Yes, sir.

740. Then are you speaking to Mr. Bernard O'Flaherty, in Galway, or to Anthony O'Flaherty?—To both of them, in Carrabrowne and Galway.

741. Was Anthony O'Flaherty present?—He was on one side.

742. Could Mr. Anthony O'Flaherty hear what you said?—He could; he was as near as this to the wall.

743. Mr. *Wordsworth.*] When you saw Mr. O'Flaherty the second time,—I am speaking of Mr. Anthony O'Flaherty, I am not speaking of Bernard O'Flaherty at present,—I understood you to say that you saw Mr. Anthony at Carrabrowne?—Yes, sir.

744. And after that you saw Corcoran?—Yes.

745. And after you had seen Mr. O'Flaherty?—Yes, sir.

746. Mr. Anthony O'Flaherty, mind?—Yes, sir.

747. You are quite sure of that?—Yes, sir.

748. When you saw Mr. Anthony O'Flaherty the second time did you say anything to him about Corcoran, or what Corcoran had told you?—Yes; I told him that he had treated Corcoran, and I expected he would be as good to ourselves as he had been to Corcoran.

749. What did he say to that?—He said nothing, sir; he promised that he would be.

750. He promised that he would?—Yes, sir, he did promise that he would.

751. Was there any one standing by when you said that to Anthony O'Flaherty about Corcoran?—There were a good many about.

752. Who was it; do you remember?—Indeed I do not.

753. Was Bernard O'Flaherty near there; do you remember whether Bernard O'Flaherty was standing by?—He was more distant from us.

754. Was Miles Ward there?—He was.

755. How near was he to Mr. Anthony O'Flaherty when you said what you have told the Committee about Corcoran?—About as far from here to the door.

756. Do you remember the day when it was that you saw Anthony O'Flaherty, and when you told him about Corcoran?—It was the Sunday, I think, before the polling.

757. That would be the 29th of March; did you go into Galway on the day of the polling?—I did, sir.

758. Did you see Mr. Anthony O'Flaherty on that day?—I did, sir.

759. When was it you saw him?—I saw him in the street in the town of Galway.

760. Do you know the post-office?—I do, sir.

761. Was it anywhere near the post-office?—I was a little way down the post-office, mostly opposite.

762. Was it inside a house or outside?—I saw him inside and outside.

763. What did you say to him either inside or outside the house?—Nothing at that present time.

764. You said nothing to him either inside or outside the house on that day?—Not at that present time.

765. Had you no conversation with Mr. Anthony O'Flaherty in that house, or in the house by the post-office?—Not at that present time.

Timothy Glynn.

11 July 1857.

766. You had no conversation with Mr. Anthony O'Flaherty in that house, or in a house by the post-office?—No, sir, not at that time.

767. At any time?—No, sir.

768. You say that you saw Miles Ward with or in the presence of Mr. Anthony O'Flaherty?—I did, sir.

769. Do you remember Ward calling to you?—I do, sir.

770. Did you go to him?—I did.

771. Or did he come up to you?—He came up to me.

772. *Committee.*] On what day was this?—That was the day of the election; the day of the polling.

773. Did Ward give you anything?—He offered it to me.

774. Offered you what?—He offered me three half notes.

775. Where were you at the time that that offer was made?—In the public-house kept by Mr. Kerrigan.

776. The other voters were with you from Carrabrowne?—Yes.

777. Some six or seven?—Yes.

778. What did you do or say when they were offered to you?—I refused to take them, sir, till I could get them full notes.

779. Because you wanted the full notes?—Yes.

780. Upon that what did Ward say?—Ward offered. He told us to take the half notes, and that he would give us the remainder after voting.

781. What was said to that by you or the other voters?—Some of the voters that were sitting by took them, and when I objected to take them they returned them back again.

782. You say you did not vote?—No, sir, I did not.

783. Were the full notes ever offered to you?—They were not, sir; I was promised them.

784. But you never got them?—I never did, sir.

785. You did not vote?—I did not vote, sir.

786. Now you told the Committee just now that you said to Mr. Anthony O'Flaherty that he had treated or given money for drink.

Mr. *O'Malley.*] No, he did not say so.

The short-hand writer referred to the notes of the examination on this point, and read them.

787. Mr. *Wordsworth.*] When you said that to Mr. O'Flaherty, what did he say?—He said he would

788. When he said he would, or within a few minutes afterwards, did you get any piece of paper or card given to you?—I did so

789. Who gave it you?—Miles Ward.

790. How soon?—A few minutes afterwards.

791. Was Miles Ward present when Mr. O'Flaherty promised to give you some drink?—He was a small distance off.

792. How far?—Only a few yards.

793. Ward gave you a piece of paper?—He did.

794. What did you do with it?—I spent it at his own house; it was an order; he keeps a public-house.

795. What did you get?—Five shillings worth of drink, and the voters and myself took it.

796. You gave up your piece of paper?—I did.

797. And you got 5 *s.* worth of drink?—Yes.

798. At that time, when you got your 5 *s.* worth of drink at Ward's house, were there any other persons, voters, there who you knew, in the house?—There was.

Mr. *O'Malley* objected that the counsel for the petitioners had no right to go into the question to which they were at present examining, as it was a question of treating, and they ought first, therefore, to prove agency.

Mr. *Wordsworth* contended against the objection, that no agency need be proved, because it was a direct act of the Sitting Member, and that no question of agency therefore arose.

Mr. *O'Malley* stated that in order to save time, as the evidence was taken, he would withdraw his objection.

799. Mr.

799. Mr. *Wordsworth.*] At the time you got your 5 *s.* worth of drink, were there other persons there whom you know?—There were, sir.

800. How many?—A good many; but I cannot recollect how many there were.

801. Ten, fifteen, twenty, or how many?—From about 10 to 15, as far as I can understand.

Cross-examined by Mr. *O'Malley.*

802. First of all, you saw O'Flaherty at Carrabrowne?—I did, sir.

803. And you have told us that Miles was not there at that time?—I did not see him there at that time.

804. Who did you see there; did you see a man of the name of Norton, a tailor, there?—I did not know him at the time.

805. Do you see him there now (*the learned counsel pointed to a person present*)?—I see him there.

806. I only want to know, because I may have to ask you about him by and by. Now, who was there with Mr. O'Flaherty?—Mr. Bernard O'Flaherty.

807. Were there a good many people there?—There were.

808. And he spoke to you in the open street?—He did.

809. He asked you to support him with your vote, and you promised to do so?—Yes.

810. *Committee.*] Are you at Carrabrowne now, or at Galway?—

Mr. *O'Malley.*] At Carrabrowne.

811. (*To the Witness.*) How long was it after you saw him at Galway?—The same day.

812. What time was it that you saw him in Carrabrowne?—Before mass.

813. On the Sunday?—Yes.

814. Was it after mass that you saw him at Galway?—It was.

Committee.] This is Mr. Bernard O'Flaherty.

815. Mr. *O'Malley.*] I want to know who it was; whether it was Bernard O'Flaherty or Anthony O'Flaherty that you saw in Galway?—It was both.

816. Who were you speaking to, because you have told us both; first you said it was Bernard O'Flaherty, and then you said that Anthony O'Flaherty was standing on one side; and then you said that it was Anthony O'Flaherty?—I was speaking to them both.

817. Who was it you first spoke to?—I was speaking to Mr. Anthony O'Flaherty.

818. Do not look at the tailor?—I am looking at you.

819. Who was it you spoke to first?—I spoke to Anthony O'Flaherty.

820. You swear you spoke to him first?—I did.

821. Before Mr. Bernard O'Flaherty?—At that time I did.

822. That was when you saw him after mass?—It was.

823. Who was there besides yourself?—There were a good many in there.

824. A great crowd about?—No great crowd at all.

825. How many?—Indeed I am not sure.

826. Thirty or forty?—I am not sure.

827. Will you swear that there were not 30 or 40?—I could not swear what I do not know.

828. They were voters and not voters?—I am not sure how many was in it.

829. People who had votes and people who had not votes?—I do not know whether they had or not; there were a good many that had.

830. Where was this?—Near the polling-room; mostly opposite the post-office.

831. That is were the polling-room was afterwards; there was no polling then?—There was not on the Sunday I suppose.

832. Was it near the chapel?—It was.

833. There was a great crowd in the street?—There was.

834. A good many gentlemen about too?—I suppose so.

835. And in the open street you took off your hat to Mr. O'Flaherty and asked him to treat you?—In the open street?

836. Yes?—Yes.

 837. Where

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837. Where did he speak to you?—He spoke to me in the house first, outside he did.

838. Did you not tell me but this moment that you saw him in the street of Galway with the crowd; I asked you when you first saw him in Galway?—Oh! the first time; it was after mass.

839. The first time you saw him was after mass?—The first time that I saw him?

840. Yes?—It was after mass; I am sure I saw him before that on Sunday morning in Carrabrowne, and I saw him afterwards, after mass, in the town of Galway.

841. Did you not see him first in the open street?—I did.

842. What do you mean by talking about seeing him in the house?—I saw him in the street, and do not I tell you that I spoke with him in the house and in the street.

843. In the house?—And in the street too.

844. You will not get rid of me?—No, I do not wish it.

845. The first time that you met him after mass was in the open street, was it not?—It was; do not I tell you it was so.

846. And it was then that you asked him to treat you?—I axed him then whether he be up to his promise according as he promised us in Carrabrowne in the morning.

847. Had you said one word of Carrabrowne before until now?—What am I talking about Carrabrowne.

848. On your oath you said to him, "As you promised us in Carrabrowne;" on your oath did you say to him anything like that? Did you ask him to treat you as he had promised you at Carabrowne?—I asked him whether he would be up to his word as he had promised at Carrabrowne.

849. You swear that?—I do.

850. You did not say to him as he had promised Corcoran?—Did I not tell you that I did.

851. You tell me now quite different?—No, sir.

852. Tell me what you said to him?—I axed him would he be up to his word. "Well Mr. O'Flaherty," says I, "you promised to be as good to us as you were to Corcoran, and I expect you to be up to your word," says I.

853. "You promised to be as good to us as you were to Corcoran"?—Yes.

854. "And I expect you to be up to your word"?—Yes.

855. When had you spoken to him about Corcoran?—On Sunday; on that day.

856. Did you speak to him about Corcoran at Carrabrowne?—I did say I spoke to him in Carrabrowne.

857. About Corcoran?—I did.

858. What did you say?—He was after giving money to Corcoran; and I asked him whether he would be so good as to use us the same as Corcoran, and he told us if we followed him into Galway that he would.

859. That if he followed you into Galway?—No, it is not so; but to follow him into Galway.

860. Did you not tell my friend here that you had seen Corcoran, after you had been with Mr. O'Flaherty at Carrabrowne?—Yes, and so I did.

861. Was it not in consequence of that, that you said to Mr. O'Flaherty in Galway, you hoped he would treat you as he treated Corcoran?—He promised me in Carrabrowne.

862. Was it not in consequence of your seeing Corcoran that you asked him to treat you in Galway?—In consequence of Corcoran?

863. Was it not after speaking to him at Carrabrowne that you asked him to treat you as he had Corcoran?—How was that?

864. I want to know how; you told my friend that you had seen him at Carrabrowne, and that you promised him your vote; and then you saw Corcoran afterwards; and after seeing Corcoran, you met Mr. O'Flaherty in Galway, and you said that you hoped he would treat you the same as Corcoran?—Yes; because he promised me in Carrabrowne, and ordered me into Galway, and said that he would.

865. And this speaking to him was in the open street?—It was in the open street and in the house too.

866. Now, take care, man; did you not tell my friend here that he spoke nothing

nothing to you in the house?—I was talking to him both in the house and on the street.

867. Did you not say that "He said nothing to me, either inside or outside the house; I had no other conversation with him at any time"?—No.

[The shorthand writer's notes were referred to with reference to the question at issue.]

868. Mr. *O'Malley.*] You say that Miles Ward gave you a bit of paper?—I do, sir.

869. What did you do with it?—I brought it to his own house, and got the drink for it, 5 *s.* worth.

870. Was that at Miles Ward's public-house?—It was.

871. It was an order to some one there to give you 5 *s.* worth of drink?—It was.

872. Who went with you?—A few more.

873. Were there 30 or 40?—I do not know whether there was; there were a good many in the house before me when I went in.

874. The greater part of those were the boys hooting in the street?—Indeed they were not.

875. Did not the crowd go with you to the public-house?—No.

876. Who went with you?—I cannot recollect who were there.

877. Then I should have thought that you could not tell who they were not, if you could not tell who they were?—

Re-examined by Mr. *Wordsworth.*

878. You say that when you spoke to him about treating at Carrabrowne, he told you to follow him into Galway?—Yes, he did.

879. Did you follow him into Galway?—I did.

880. How soon afterwards?—I was there at 12 o'clock; at 12 o'clock mass, sir.

881. At mass, in Galway?—Yes.

Committee.] This is Mr. Anthony O'Flaherty?

882. Mr. *Wordsworth.*] You are speaking of Mr. Anthony O'Flaherty?—Yes; of Mr. Anthony O'Flaherty, and of Mr. Bernard O'Flaherty too.

883. I understood you to say to my learned friend, that Mr. Anthony O'Flaherty, at Carrabrowne, had told you to follow him into Galway?—Yes.

884. Is that true?—That is so.

885. Did you follow him?—I did.

886. How soon after?—I do not know what time in the day he was in Carrabrowne, but I was at 12 o'clock mass in Galway.

887. Was it on that same day that you got the piece of paper and took it to Miles Ward?—It was, sir.

888. And you got then 5 *s.* worth of drink?—Yes, sir.

Committee.] Ask the witness what time morning mass is at Carrabrowne.

889. Mr. *Wordsworth.*] What time is morning mass at Carrabrowne?—There is no morning mass in it; there is no chapel in Carrabrowne.

890. Do you go into Galway when you go to mass?—There was a parish chapel in it.

891. Where?—In the parish.

892. When you go to mass, where do you go?—To Castlegar, and sometimes to Galway.

893. What time in the morning is mass usually in that part?—Twelve o'clock.

894. You mean in the middle of the day?—Yes.

895. At what time was Anthony O'Flaherty at Carrabrowne?—I am not sure what time of the day it was, but I followed him immediately when he ordered me to Galway, and I was at 12 o'clock mass in Galway.

896. How far is it?—It is about three miles.

[The Witness then withdrew.

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Thomas Madden, called, and sworn; Examined by Mr. *Shaw*.

897. WHAT are you by trade?—I am a dealing man.

898. What do you deal in?—I deal in corn and pigs.

899. And you live at Galway?—I do.

900. In what street do you live?—In Abbeygate-street.

901. Do you know the post-office at Galway?—I do.

902. Is your house very far from the post-office?—Very near.

903. You recollect the last Galway election?—I do.

904. At that time was it the case that the house opposite the post-office was covered with placards?—Yes.

905. And that it was used as a committee-room?—Yes.

Mr. *Coleridge* objected to the learned Counsel for the Petitioners calling the room in question a committee-room, inasmuch as evidence had been given that it was a tally-room.

906. Mr. *Shaw*.] There was a house opposite the post-office covered with placards?—Yes.

907. Did you see people go into this house?—I did.

908. Who were they?—Mr. O'Flaherty.

909. Which Mr. O'Flaherty?—Mr. Anthony O'Flaherty, the Member, Mr. Bernard O'Flaherty, Doctor Brown, Mr. John Oliver, Miles Ward, John Gill, and James Fehay.

910. Did you see these people going in once or oftener?—Repeatedly.

911. Before the day of polling?—Yes.

912. Did you see any one go in and out on the day of polling?—I did.

913. Can you tell us the people that you recollect passing in and out of this house on the day of polling?—Mr. Anthony O'Flaherty, Miles Ward, John Oliver, and James Fehay.

914. These are all on the day of polling?—Yes.

915. Did you ever observe Mr. Anthony O'Flaherty on his canvass?—He called at my house, but I did not see him.

916. Did you see him on the canvassing home?—I did.

917. Will you tell the Committee whether you saw him alone, or in company with other people?—I saw him in company with other people.

918. Who were they?—Doctor Brown, John Oliver, James Fehay, Miles Ward, and one John Gill, and a great many other persons who I can mention, if you please.

919. Did you see them once on canvass?—

Mr. *Coleridge*.] He says, "and a great many other persons."

920. Mr. *Shaw*.] Did you see him once canvass, or more than once?—I saw him once, once or twice; but I did not connect myself with them; I merely met him on my rounds, and in my business going from house to house.

921. You saw these gentlemen going about?—Yes.

922. Do you recollect, about the time of the election, seeing Miles Ward and a man of the name of Edward Waldron?—I did.

923. Ward is a publican?—A publican and a grocer.

924. What is Waldron?—A butcher, or a victualler.

925. Where was it you saw these two people together?—At Abbeygate-street, the street I live in.

926. Do you recollect the day on which it was?—Yes, very well indeed.

927. What day was it?—It was the day before the election.

928. The *Committee*.] The Sunday?—No, sir.

Mr. *Wordsworth*.] Monday was the day of nomination, and Wednesday was the election.

929. The *Committee*.] Then Tuesday, was it?—Yes.

930. Mr. *Shaw*.] Will you tell us how far distant you were from Mr. Ward and Mr. Waldron?—Just behind his back.

931. Were you sufficiently near to hear the conversation?—I was; because I went expressly to hear the conversation.

932. Will

932. Will you tell the Committee what conversation you heard?— *T. Madden.*

Mr. *O'Malley* objected to the question. 11 July 1857.

Mr. *Shaw* stated that it was put with the view of proving a case of bribery.

Mr. *O'Malley* contended that the act of bribery must first be proved, and he was heard against the evidence.

After some discussion,

Mr. *Wordsworth* stated that, being anxious to save the time of the Committee, although he did not think that there was any substantiality in the objection, that as Mr. Waldron was present, it would be convenient that he should be called, as he would prove the act of bribery, and that then the conversation to which his learned friend had objected would come in proper form.

Edward Waldron, called, and sworn; Examined by Mr. *Wordsworth.*

933. ARE you a butcher?—I am, sir. *E. Waldron.*

934. A voter for Galway?—Yes, sir.

935. Did you vote at the last election?—I did.

936. How?—I voted for Lord Dunkellin and Colonel French.

937. Do you know Thomas Madden?—I do.

938. Does he live in Abbeygate-street?—He does.

939. Is that the same street where you live?—The same.

940. Do you know Miles Ward, the publican?—I do.

941. Now before the election at any time, do you remember meeting Miles Ward in Abbeygate-street?—I do; there was only a short distance between us where we live; only across the street; he keeps a public-house.

942. Do you remember seeing Miles Ward in Abbeygate-street at any time before the election?—Yes, I do, at different times; he went to my house.

943. I am not asking you about the house. Do you remember seeing Miles Ward on any particular day in Abbeygate-street, when Thomas Madden was there?—I do; he commenced to offer me 4 *l.*

944. He came in to you?—He did.

945. I am not asking you what passed inside the house, but had you any conversation with Miles Ward in Abbeygate-street?—Yes; he offered me at different times——

946. *Committee.*] You are asked as to one particular time; attend to that. When Thomas Madden was present?—Yes, sir.

947. Mr. *Shaw.*] When Thomas Madden was present do you remember Miles Ward saying anything to you in Abbeygate-street?—I do; I was at the door, and he was at the house where Mr. Madden was standing, and he asked me 4 *l.* a man.

948. Madden was there?—He was; he happened to come up.

949. What did Ward say?—He offered me for 23 voters, victuallers, 4 *l.* a man.

950. He offered you 4 *l.* a man for 23 victuallers?—Yes.

951. Mr. *Wordsworth.*] You mean persons in the same trade as yourself—butchers?—Yes.

952. They are sometimes called victuallers there?—They are.

953. But they are in the same trade as yourself?—Yes.

954. He offered you 4 *l.*, you say?—He did.

955. What else?—He gave me an order to the amount of 30 *s.* at his own house for drink.

956. On this occasion?—Yes.

957. Was this not in his own house?—It was; he gave me the order for 30 *s.* on his own house.

958. *Committee.*] Was Madden present then?—No, sir.

959. Mr. *Wordsworth.*] Now, listen to me, will you; I want you to tell the Committee?—I will, sir.

960. What passed between you and Miles Ward at the door of your own house in Abbeygate-street when Madden came up?—I am not sure what he had in his hand.

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961. Who spoke first?—Mr. Miles Ward, sir.

962. What was it that he said to you; tell us the words?—He was saying we got it from Dr. Brown, and from Mr. —— the baker; I forget his name.

963. Mr. Oliver?—Yes.

964. What would you get?—Immediately after voting we would get 4 *l.* a man from him, Ward said.

965. Did he ask you to do anything?—He did, sir, and said that if I came up at one o'clock——

966. When he said that he would give 4 *l.* a man at the door of your house, and when Madden was close by, did he say anything more?—No, sir, no more.

967. What did you say to him?—I told him that where the rest of the trade would go I should go the same; that all the victuallers always go the same way.

968. Is that all, according to the best of your recollection, that passed between you and Ward when Madden was present in Abbeygate-street?—That was all.

969. Did you see Ward afterwards?—I did, sir; he came to my house at one o'clock at night.

970. Afterwards he came to your house at one o'clock at night?—Yes; and he came in the morning early.

971. What did he say to you when he came at one o'clock at night?—He told me that I was a good mark for 5 *l.*, and that he would see me justified.

972. Ward said that to you, in his house, at one o'clock in the morning?—At night, sir.

973. What did you say?—I told him I could not go to any place until I saw where the rest of the trade went to; that we must go altogether; that is what I said.

974. You said just now that Ward gave you an order for 30 *s.* worth of drink?—He gave me liberty to call for as much as I liked, up to 30 *s.*

975. What did he say?—He said, "Call for as much as you like; call the amount of 30 *s.* worth of drink."

976. Where was it he said that to you?—In his own house.

977. How long before the day of polling on Wednesday?—The day before the day of polling, sir.

978. And he said that to you in his own house?—He did.

979. He is a publican?—He is.

980. Were there any others in the hearing of Ward, when he said that to you?—The men were drinking with me; men of my own trade.

981. At his own house?—Yes.

982. How many of your own trade, being voters, were there at that time?—About 12 or 14; the rest of them were in John-street, and different places.

983. Did you and the rest of the trade that were there with you, drink it?—We did; we drank the drink.

984. Do you know to what value and what amount?—To the amount of 30 *s.*

985. One question more; on what day was it before the election when you had this talk with Ward in Abbeygate-street, and Madden came up?—It was the day of the election.

986. And was it after that conversation in Abbeygate-street that Ward came to you at one o'clock?—Yes, it was the same night.

987. Are you a freeholder?—No, sir.

988. A ratepayer?—No, sir.

989. A freeman?—A freeman, sir.

990. And the other men in your trade, that Ward spoke to you about, are they freemen?—Yes, sir, we are all freeman; there are 48 in the lot.

991. Now, Mr. Waldron, you say you are a butcher?—I do.

992. You are what we call in this country a master butcher, are you not?—I am a master butcher.

993. Is there any other master butcher in Galway of greater extent of business than yourself?—Oh, there is, sir.

994. How many persons did you employ?—I have a son-in-law and a boy doing business.

995. Have you any relations who are in the same trade as yourself?—I have my brother and my sons-in-law.

996. Are

996. Are they voters?—They are; and my brother-in-law is too; we have three more; we have five; there are 23 in my family, all brothers-in-law.

997. The whole of the 23 are connected with each other?—The whole of the 23.

998. All those 23 of the trade that are connected with you, are they voters?—They are, every one of them, as freemen.

Cross-examined by Mr. *O'Malley.*

999. There were only 12 or 13 of you drinking this 30 *s.* worth?—That was all.

1000. I suppose you drank ale and some whiskey and porter?—Some of it.

1001. You never drink whiskey?—I do at times.

1002. How much do you drink.—As far as my opinion goes, I might drink a glass or two, or five or six.

1003. Or 10 or 12?—Perhaps I might.

1004. I think you are the man who swore in court at Galway, that he often drank a quart of whiskey at a sitting?—Perhaps so, but that was some time ago, I might not drink it now.

1005. My friend says, it was diluted; I dare say you do not know what that is, but you drank it neat?—I did, sir.

1006. You do not mind the water at all?—We took it without water.

1007. How long did these 12 or 13 men remain drinking?—How long?

1008. Yes?—About six or seven hours; there were different men there, and some of them females.

1009. Was it at one o'clock at night when you began?—No, it was not, it was in the clear daylight.

1010. What o'clock was it?—I am not sure.

1011. About what o'clock?—One o'clock in the day.

1012. Was that the time that he came to you?—No, sir, one o'clock at night he came to me.

1013. Was it the day after, or the day before the election?—It was the day before the election.

1014. Was it the day before he came to you that you had this drinking match at his house?—It was, sir.

1015. You are a butcher, you say?—I am.

1016. How many of the butchers are there voters?—Forty-eight.

1017. All of them are freemen?—All of them are freemen.

1018. Are you the commander-in-chief?—No.

1019. Who is?—Oh, different men who meet together.

1020. But who is the leader?—Who is the leader?

1021. Yes?—I could not tell you the leader.

1022. Have you not a recognised leader?—No.

1023. Who is it that bargains for the votes?—There may be half a score of men go together.

1024. And bargain for the votes?—No, sir.

1025. You bargain for the votes?—No, sir, I do not.

1026. Did you ever vote without ever being paid for it?—I voted at different times; I voted for Mr. O'Flanigan, and I never got a drink of water; and I voted for Mr. Martin Joseph Blake.

1027. Did you not get 4*l.* for your vote on that occasion?—No; I got as much for the county as I got for the town.

1028. How much was that?—Three pounds.

1029. Then I was doing you wrong when I said you had got 4*l.*; now will you tell me this, in 1852, when you got the 3*l.*, was it Mr. Greeney, the petitioner here, who paid you?—It was, sir.

1030. Did he pay you for the county as well as for the town?—No, I got it from Murphy.

1031. He paid you for the county, and the other for the town; Mr. Greeney for the town?—He did, sir.

1032. Did all the other 48 voters get the same?—I am not sure.

1033. You know that some of them did?—I know they all got it, but I could not swear that they all got it.

1034. They all got it?—They all got it; I am sure, they told me.

 1035. You

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1035. You knew it?—I am not sure that the 48 got it; I could not stand by and see them.

1036. Now of these precious 48, yourself and your friends make up 23 as I understand you?—Yes.

1037. Yourself and your relations?—Yes.

1038. Who did you vote for in 1852?—I do not remember.

1039. Colonel French, was it not?—Yes, it is always the same, and for Lord Dunkellin.

1040. For Martin Joseph Blake?—Yes.

1041. In 1852?—Yes.

1042. And the other 48?—No, sir.

1043. Did not every one of them vote for Martin Joseph Blake in 1852?—They did, sir.

1044. *Committee.*] The whole of the 24 or the 48?—

Mr. *O'Malley.*] The 48.

I am not sure of the 48 altogether; some of them might go on one side.

1045. *Committee.*] Your family did?—Yes; I am not sure about the 48.

1046. Mr. *O'Malley.*] Most of them did?—I do not know.

1047. You said you would wait to see how the rest were going; you all go together, do you not?—Yes, perhaps some of them would not go the same way.

1048. And one or two of you make the bargain for the rest?—No.

1049. Did you not always make a bargain for a certain number yourself?—No, sir.

1050. You do not?—No, sir.

1051. Did you not at this very last election make the bargain?—No.

1052. What did you get?—I got 13*s.* 6*d.* for the county.

1053. And how much for the town?—Not a farthing.

1054. Not a farthing?—Not a farthing.

1055. How much were you promised?—Nothing.

1056. Not for your vote this time?—Not a farthing.

1057. What did you mean by saying I will wait and see how the trade goes?—I was promised by Mr. Ward, to be sure.

1058. You did not earn that, because you did not vote?—No, I did not.

1059. You said you would go where the rest of the trade told you; "where the rest of the trade went, I would go too"?—Yes.

1060. Where did they go?—To Lord Dunkellin and Colonel French.

1061. Do you mean to say that you got nothing?—Not a farthing.

1062. When are you going to get it?—I do not expect nothing.

1063. On your oath?—On my oath; I do not to my own knowledge.

1064. Do not you know that there was a regular bargain made?—No bargain on that side.

1065. But that was the side on which the bargain was before?—No.

Mr. *Wordsworth* objected to the course of examination pursued by the learned Counsel.

The Witness was ordered to withdraw.

After some discussion, Mr. Wordsworth stated that his only object was to protect Colonel French from what he thought would be the effect of the answer to which he objected.

The Witness was re-called.

1066. Have you been along with Norton, the tailor, since you have been out of the room?—When I was going down to take a drink, that is all.

1067. Norton, the tailor, is the man who got up this petition, is he not?—I do not know, sir.

1068. Did you not come up to the room with him?—I did, Sir.

1069. Did you not go from the room with him?—No, he ran down and caught me up.

1070. Did Norton say anything to you when you were out?—Not a word; he only just called me when I came out.

1071. Do

1071. Do you mean to swear that you got no promise at the last election?—No, sir, I did not; only Miles Ward's.

1072. We have heard that; do you mean that that is the only one?—That is all.

1073. Do you mean to say that every one of these freemen that you have talked of are not to get money?—I could not say that myself.

1074. Were you not a party to the arrangement for getting money?—No.

1075. We will take it down on the notes; now you mean to swear that you neither got money nor were promised money for your vote?—No, I got no money, but I was promised it by Miles Ward.

1076. Except by Miles Ward?—No.

1077. Promised it by no one but by Miles Ward?—No.

1078. And you did not expect it?—No.

1079. Will you swear that you were not a party to any promise made to the butchers?—No, I was not.

1080. How came you to vote the way you did?—How came I to vote?

1081. Yes?—I went down to the court-house and voted, to be sure, the same as the rest of them did.

1082. What do you mean by saying that you would wait and see how the rest of the parties went?—Because we would all go that side; we always do; the victuallers always go on one side; any side they like, we go the same.

1083. Who like?—They go themselves.

1084. Who go?—The victuallers.

1085. Who is it chooses the side?—We do not choose any side; only the liberal side we vote on.

1086. They were all Liberals, you know; you mean the side that gives the best?—No, sir.

1087. Is not that what you mean?—No, sir; we got no money.

1088. You have only been able to tell us of one election before, when you did not get anything, when you voted for Mr. O'Flaherty; but I want to know who was it told you which side to go?—We always went that side.

1089. You were to wait to see how the rest were going?—I did.

1090. How did you know it?—Because we all go the same way.

1091. Who was it told you to go that way?—The butchers.

1092. What butcher?—Different men.

1093. Who?—Different butchers told me.

1094. Tell me one?—James Sullivan was one.

1095. What did he say to you?—That we were to go for Colonel French.

1096. Did he say that you were to go for Colonel French?—For Colonel French and Lord Dunkellin, that is the way that we went.

1097. Did Sullivan tell you that?—He did.

1098. Is Sullivan a butcher?—He is.

1099. He is one of the largest butchers of the place?—No.

1100. He is larger, I do not say in point of size, but in point of business; he has more business than you?—He has.

1101. And a deal more money?—I do not know.

1102. Is it not Sullivan that manages the bargains?—No, it is not.

1103. Who is it?—That is more than I can tell you.

1104. You say you all go as the butchers go?—Yes.

1105. Who guides you?—No one; we always go together.

1106. You do not know which way you all go?—Yes, we do.

1107. Had you a meeting?—No meeting.

1108. I do not mean a public meeting, but a meeting in any house?—No, not in any house.

1109. What day was it you determined to go for Colonel French?—On what day?

1110. Yes?—I believe on the Monday.

1111. You do not mean to say that you were taking Miles Ward's drink at the time that you made up your mind to go to the other?—I was.

1112. And did not drink a farthing but of Miles Ward's?—I was.

1113. You were drinking at Ward's house?—I was drinking with my own money.

1114. Was it your own money that you were drinking with at Miles Wards?—It was not.

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1115. Then what do you mean by your own money?—I was drinking with my own money part of the time.

1116. Part of the time you were drinking with your own money, and part of the time you were drinking with Miles Ward's?—I was.

1117. What time of the night did you begin to drink with your own money?—In the day; at one o'clock, I went into Miles Ward's, and I was there till late.

1118. You told us you were drinking his money then?—Not his money only; the order told me to call for as much as I liked.

1119. Is that what you call drinking your own money?—No; part of the time I was drinking with my own money.

1120. Tell us about when it was you began to drink with your own money?—(*No answer.*)

1121. You were drinking his money at the time that you made up your mind to vote the other way; do you not mean that?—No.

1122. When was it that you made up your mind?—When I got the order.

1123. Who gave it?—Miles Ward; to call for as much as I liked.

1124. Who gave you the order?—Miles Ward.

1125. Do you know John Egan?—I do.

1126. And Burnard Egan?—I do.

1127. And Henry Hart?—I do.

1128. They are all butchers?—Yes.

1129. They are some of the 48?—Yes.

1130. Did they tell you how to vote?—No.

1131. Did you see them at all before you voted?—No.

1132. How did you know how to vote?—When I went to the court-house on the day of polling, they were all canvassing as much as they could; we all had influence with the country people.

1133. Now in that 3 *l.* that you spoke of, was your influence with the country people included; you say you had influence with the country people; I want to know did you throw in your influence along with the 3 *l.*?—No.

1134. That is, substance for another bargain; did you see Mr. Gill before the last election?—I was in his house.

1135. Did you see him before the last election?—I did.

1136. Shortly before?—I did.

1137. Did you not offer him your support for 4 *l.*?—I did not.

1138. That you swear?—No, sir.

1139. Did you not tell him you would record your vote in favour of O'Flaherty if he would undertake that you should get 4 *l.*?—I would not go that way if I got 50 *l.*

1140. Did you not say that?—No.

1141. Now you say you would not go that way if you got 50 *l.*?—No; I would sooner go the way that my trade goes.

1142. You did not know which way your trade was going when you saw Miles Ward?—That was the day before the election.

1143. What was?—When we were drinking in his house.

1144. You did not know at that time which way you were going?—No.

1145. Because you said you would wait to see what way your friends went?—Just so.

1146. Now I must come back to Mr. Gill; you must not go away so easily; did you not meet Gill?—I did; but I did not say anything about 4 *l.*, or any such thing.

1147. Did you speak to him about your vote?—I did.

1148. Which is true; you said first you did and then you did not; which do you mean?—Because I spoke to him at different times, and that was at his house.

1149. Did you speak to him about your vote; now what are going to say for the third time?—I did not.

1150. What did you speak to him about when you saw him that time, a few days before the election?—I saw him in the street, and I called at his house.

1151. What day was that when you called at his house?—I cannot say the day.

1152. About?—I am not sure.

1153. Tell me about the day?—I am not sure.

1154. Your

1154. Your memory is very correct about other matters?—I could not tell you.

1155. You could tell us how long it was before the election?—I could not tell you.

1156. Tell me about?—I could not say.

1157. Was it a week?— I do not know.

1158. Was it a month?—I do not know.

1159. Whether it was a week or a month you cannot say?—No, it was not a month.

1160. What do you say?—I could not tell you that.

1161. Was it a week or a month?—No.

1162. Was it a month or a week?—I do not know; I cannot be in two memories at once; it was over my power; I cannot think.

1163. You cannot tell us whether it was a week or a month; will you tell us what the day of the week was?—I could not.

1164. Perhaps you could not tell us at all whether you saw Gill at all?—I did see him at the house, but I could not tell the day.

1165. What time in the day was it that you called on him?—I am not sure; it could not be in my memory in that way.

1166. Did you speak to him about your vote?—I did not.

1167. Not a word?—Not a word.

1168. Did you speak to him about the election?—Did I speak to him about the election?

1169. Yes?—I did not speak to him about it.

1170. Do not look in that way every time you give me an answer. Who is that gentleman standing near my friend?—Mr. M'Govin.

1171. Don't look there?—I am not looking there.

1172. Did you speak to Mr. Gill about the election?—No.

1173. Not a word?—No.

1174. What did you speak about?—I was taking a car to go into the country, and I was talking to his wife about it.

1175. I am not talking about taking a car, that is not the time that I am talking of at all; do you mean to swear that you did not speak to Gill about this election?—No, I had nothing to do with the man.

1176. You had nothing to do with him?—No.

1177. You had nothing to do with him?—Not a ha'porth; he may salute me and speak in passing in the streets.

1178. Did you not talk to him about the election?—Oh, I did not.

1179. What did he speak to you about in the street?—He said, "Are you going up taking a car; "I am," says I.

1180. Was that all that passed?—Yes.

1181. Was that in the house or the street?—In the street; I went to the house afterwards.

1182. Did you say anything about your having five or six more that would go with you?—No, sir, I did not.

1183. Your memory is getting very good; perhaps now that you have refreshed it, you can tell us what day it was that you went to Giles's house?—I am not sure.

1184. Do you know Mr. Murphy?—I do.

1185. Did you know Mr. Blake, a Queen's counsel, was a candidate for Galway?—I did, sir.

1186. Were you a party; had you any communication with him?—I happened to go up into his room; I went up into it; I went up where he was; where his clerk, Mr. Butler, was.

1187. What for?—There were 16 or 17 of us went together.

1188. What about?—We were sent for.

1189. What about?—Whether we would give him our votes.

1190. Did you not offer that the whole body of 21 would support him for 10 *l.* each?—There were some said it, and others did not.

1191. *Committee.*] Were you present when it was said?—I was present; they said 10 *l.*, and I said 5 *l.* is enough; that is all I said.

1192. Mr. *O'Malley.*] There were 21 there?—Not so many; they came in after that.

1193. Altogether, they came up to 21?—They might.

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1194. Or more?—No, I think not more.

1195. These butchers?—Yes.

1196. *Committee.*] You are speaking of the election of 1852?—No, the last election.

1197. *Committee* (to Mr. *O'Malley*).] How did you introduce Blake?

Mr. *O'Malley.*] He was a candidate, sir.

Mr. *Wordsworth.*] My friend ought to have said that he had been—he was not a candidate.

Mr. *O'Malley.*] Mr. John Blake was a candidate, but withdrew, and Colonel French came forward in his stead.

1198. You say that you thought that 5 *l.* was enough?—I did, sir; and the rest of the men said the same, some of them; but some said a different trade was offered 10 *l.*

1199. What trade was that?—I believe the tailors and the carpenters.

1200. They are freemen, too?—Yes; that is what I heard some of the butchers say in my presence.

1201. That some of the other trades got 10 *l.*, and they thought that you ought to get 10 *l.* too?—That is it.

1202. You thought that 5 *l.* would be enough?—No, sir.

1203. The consequence was, that Mr. Blake withdrew?—Yes.

1204. Did Colonel French take his place and his committee-rooms?—He did.

1205. Did you communicate with Colonel French at all?—No, sir.

1206. Did you not invite Colonel French to come down again?—Yes, the trades of Galway did.

1207. Did you not telegraph to him?—Yes.

1208. This was the day before the nomination, was it not?—It was.

1209. You say the trades of Galway?—Yes.

1210. This contested election at Galway is a great harvest, is it not?—No, I cannot say it; I am sorry for it that it should be.

1211. You are sorry?—I am sorry; I wish there was no election, because a man neglects his business so much.

1212. It is not a good compensation for your business?—No.

1213. You would have been better pleased with 10 *l.*?—I am better pleased with 50 *l.* if there was no election.

1214. Do you mean to swear that?—I do; I would be better pleased, sir.

1215. Now I just ask you again, before I have done with you, was not Norton, the tailor, with you when you went from the room, from the time that you left that door till you came back again?—No, he was not.

1216. Will you take your oath of that?—Yes.

1217. On your oath, he was not?—He called me.

1218. Did he not go away with you in company from that door?—No, he did not.

1219. You swear that he did not?—He did not pass away with me.

1220. Did he say anything to you?—Not one word; only one word, he asked me what I should take; I said, "I was dry;" I was never so long without taking anything; without taking refreshment.

1221. Who was it that asked you to come over?—Myself.

1222. Yourself asked you?—No.

1223. Who was it that asked you?—It was myself.

1224. Who was it that asked you to come over?—Who asked me?

1225. Yes; who asked you to come over?—I was served on Saturday.

1226. Who asked you to come over?—I was served by Thomas Madden.

1227. Who is Thomas Madden; was he the one that took your evidence?—No.

1228. Who took your evidence?—That gentleman there—(*pointing to some one present*).

1229. Before you left Galway?—Yes.

1230. Who is that gentleman?

Mr. *Wordsworth.* He has been examined.

Mr. *Coleridge.* He is the amateur.

1231. Mr. *O'Malley.*] Who did you come over in company with?—We were all together in one.

1232. Who were the all in one?—Mr. Maddon Codyre, Tim. Newell—

1233. There were some gentlemen with you?—Mr. Maddon.

1234. There were some gentlemen with you to take care of you, were there not?—There was Mr. Maddon.

1235. Was it he that paid your expenses as you came along?—It was.

1236. And gave you plenty of whiskey?—No; I did not drink a drop of whiskey, or of porter, or of ale.

1237. Did not you try any of the gin?—Not a tint.

1238. It was all porter and ale?—All the way.

1239. Porter and ale all the way up from Galway?—I took a fair allowance.

1240. Where have you been since you have come up?—In Spring-gardens.

1241. At a public-house?—I believe it is.

1242. Have they got good whiskey there?—I have not once taken a sup.

1243. Or porter or ale?—No.

1244. Why you will die, man?—No, there is no fear of that.

1245. Did not John Martin Blake say anything to you about your evidence?—John Blake?

1246. Yes.—No sir, not one word.

1247. Your memory has got very fresh about this 5 *l.* and 10 *l.*; were you not talking with Gill, and did you not offer to vote for 4 *l.*?—No, sir.

1248. That you will swear?—I did.

1249. You did not speak to him at all about it?—In the street I told you that in passing I might speak to him.

1250. About the election?—Not about the election.

1251. Did you not tell him what you were offered by other people?—I was not offered by other people; not one shilling.

1252. But did you not tell him what you were asked of other people?—No.

1253. Did you not say that the other trades were getting more?—They were getting more from Mr. Blake.

1254. Did you tell Mr. Gill that?—No, I did not tell him any such thing; I had no dealings with Gill at all.

Re-examined by Mr. *Wordsworth.*

1255. You say that Mr. Blake, the Queen's Counsel, was a candidate?—He was.

1256. And you say that the other voters offered 10 *l.*?—I did. They said 10 *l.* was enough, because the other trades were getting it.

1257. When you offered to vote for Mr. Blake, the Queen's Counsel, for that sum of money, what did he say to it?—He did not stand it the next day.

1258. What did he say?—He said if he had all the money in the Bank of Ireland he could not give us a bit of money at all, and that he could not stand Galway.

1259. And then he ran away, and you telegraphed to Colonel French?—Yes.

1260. He came down on the Sunday afternoon?—Yes. I had sooner never have an election for 50 *l.*

1261. Is it true that Mr. Blake, the Queen's Counsel, ran away?—Yes.

1262. And is it true that Colonel French came down on the Sunday afternoon?—Yes.

1263. You say that you voted for Lord Dunkellin and Colonel French?—I do.

1264. Did you receive anything for voting for Colonel French?—Not a farthing.

1265. Have you been promised anything?—No, sir.

1266. By Colonel French or any one under the sun?—By no man to my knowledge.

1267. What do you mean by your knowledge?—I was never promised a farthing by Colonel French, agents or any one.

1268. Nor you never asked for anything for voting for Colonel French?—No.

1269. Were you an election agent for the county in 1852?—Yes, for about two or three hours.

1270. You had no vote for the county?—No, sir, I was the same as an agent.

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1271. Were you employed on that occasion in 1852 as an agent?—I was.

1272. Were you employed on that occasion by Mr. Murphy, who is sitting here?—Yes; I got 3 *l.* from him; every victualler in Galway got the same; some of them got 4 *l.* or 5 *l.*

1273. Was Mr. Murphy, who sits here next to my friend, in 1852 the agent of Mr. Martin Blake?—No, he was not.

1274. Was not Mr. Blake a candidate in 1852?—(*No answer.*)

1275. In 1852 Martin Thomas Blake was returned Member for the town of Galway?—He was.

1276. For the county, I believe Sir Thomas Burke was the candidate?—Yes.

1277. Did you at that election in 1852 act as agent for Sir Thomas Burke, in the employment of Mr. Murphy?—I did.

1278. You were not a voter for the county?—No.

1279. But were employed by him as agent?—Yes.

1280. Did he pay you for it?—Yes.

1281. Now, in 1852, you say you got a sum of money, 3 *l.*, from Mr. Murphy?—We did.

1282. What was that for?—For being agent for the county.

1283. You got 3 *l.* for being agent for the county, and you got 3 *l.* from Mr. Murphy; did you get anything for voting at the election in 1852?—I got 3 *l.*

1284. For voting at the election?—Yes.

1285. From whom?—Pat Greeny.

Examined by the *Committee.*

1286. You say that Miles Ward offered you 4 *l.*?—Yes.

1287. For yourself and the 21 men who were going with you?—Twenty-three.

1288. He offered you 4 *l.* for the whole lot?—He did.

1289. You would not accept it?—We were going to accept it, and Mr. Blake did not start; and then all the trade had gone to vote for Colonel French.

1290. You say that Miles Ward offered you 4 *l.* in the street to vote for Mr. O'Flaherty?—He did.

1291. What was your answer?—I told him I could not know what to say; for whichever side the butchers go I would go the same.

1292. That was all?—Yes.

1293. Was that all that passed between you?—He was coming in the morning to the house.

1294. If Colonel French had succeeded at the election should you have expected to have received anything?—No, sir, not a farthing.

Thomas Madden re-called; further Examined by Mr. *Shaw.*

Thomas Madden.

1295. You were just telling the Committee, when you went out of the room, that the day before the election you saw Ward and Waldron talking together?—They were talking together; Waldron keeps a meat shop, and he keeps a chair just at the threshold of the door, and he was sitting on his chair when Ward walked over from his own house to speak to him.

1296. *Committee.*] Waldron was sitting on a chair?—Yes, at his own meat shop, when Ward walked over to him; Ward lives on the other side of the street, and they were speaking there for a few minutes, and I was walking on the footpath, and I just stepped across; just in this way (*describing*), and I stood in that position; I guessed, I was aware, very well, that Ward was speaking to Waldron, and striving to make some impression upon him, and, on this occasion, I stepped on my foot and listened; and, says he—

1297. Mr. *Shaw.*] Who?—Ward. "Now," says he, "if you do not believe me; how many have you? I have 20," says he, "or 23;" I do not know which it was; but I believe both was speaking at the time; "and," says he, "if you do not believe me come down to Mr. Oliver's, and I will give you Dr. Browne's and John Oliver's security." "Oh," says Waldron, "I'd take your own word for 100 *l.*," I just turned and walked away.

1298. Did you hear any more?—Not more than that, sir.

Cross-

Cross-examined by Mr. *Coleridge*.

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1299. When that was over did you walk away?—Yes.
1300. Did you not say anything yourself?—Not at all.
1301. Did you vote for Mr. O'Flaherty?—No.
1302. You voted the other way, did you not?—I voted for Colonel French.
1303. You always have voted the other way, and against O'Flaherty?—I never voted against him in my life.
1304. You voted for O'Flaherty?—In 1852 I did, and for Martin Joseph Blake.
1305. Was he a friend of yours, Mr. Blake?—No.
1306. Or Mr. O'Flaherty?—No, I was never under any compliment to any of them.
1307. Was not Martin Joseph Blake a friend of yours?—He never was a friend of mine, nor was Mr. O'Flaherty, nor was Colonel French; neither of the three were friends of mine.
1308. You voted for Martin Joseph Blake and Mr. O'Flaherty in 1852, and for Colonel French now?—Yes, sir, I did.
1309. Mr. Joseph Blake has a great deal of property in Galway?—He has property in it.
1310. Who did he vote for this time?—I do not know, really.
1311. You do not know whom he supported?—On my oath, I do not.
1312. On your solemn oath?—I do not know who Martin Blake voted for.
1313. Do you know whom he supported?—I do not; I know that he canvassed along with Colonel French.
1314. Do not you know that he supported Colonel French?—No.
1315. On your oath?—On my solemn oath, I do not know.
1316. On your solemn oath, do you not know that he supported Colonel French?—I do not; he canvassed with Colonel French.
1317. Do not you know that he was the chief supporter of Colonel French?—I do not know any such thing.
1318. That you swear?—I do swear it; I did not see Mr. Blake voting.
1319. Did Ward know which way you were going to vote?—No. Ward did not see me at all.
1320. Did Ward see you in this conversation?—No, he did not; because he was in this position—(*describing it*)—when he went to Waldron, and I stood so—(*describing it*).
1321. Did Waldron see you?—He did.
1322. He did?—Perfectly well.
1323. Did Waldron know which way you were going to vote?—I do not think he did at the time, nor I do not think no man knew it.
1324. They did not know which way you were going to vote?—No.
1325. You kept yourself dark?—Yes; I promised none of the members; there were three candidates, and I promised neither of them.
1326. You did not hear Ward offer any sum to Waldron to vote?—He said, "If you doubt me, come down to Oliver's and to Dr. Browne, and I will give you their security." "Oh," says Waldron, "I would take your word for 100 *l.*"
1327. They seemed to agree?—I walked away.
1328. They seemed to agree?—I just turned and walked away to my own house.
1329. What became of Ward?—Ward was about as far as from here to the chimney piece to his house.
1330. Where did he go to?—He walked over to his own house.
1331. That was all that passed?—I left the two speaking.
1332. Had Ward done speaking before you went away?—I heard Ward speaking to Waldron.
1333. You have told us what you heard him say?—Yes.
1334. Was there anything else passed, or did you go away at once?—He said, "There were 20 or 23 of them."
1335. After he had said what you have sworn you heard him say, did he go away or did anything else pass?—He went away.
1336. Where did Ward go?—I do not know.
1337. Did you see Ward go?—No.
1338. Just now you said you saw him go to his own house?—Surely he stepped away.

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1339. Did you see him?—I went behind and saw him walk away.
1340. Where to?—I could not say particularly.
1341. You did not see him?—I think I did.
1342. Have you any doubt that you saw him walk away?—I have no doubt.
1343. When did you see him walk away?—Directly after.
1344. A few moments after?—Yes, sir.
1345. Had you taken any part in this election?—No part at all; I have done my utmost for Colonel French.
1346. At the time of this conversation, had you yourself taken no part in this election?—No part, only that I voted for Colonel French.
1347. That was after; had you taken no part before this at all?—No part; I could take no part.
1348. What do you mean?—I could take no part, sir.
1349. Why not?—I had not that influence.
1350. Did you take as much part as you could?—Yes, I did; I voted for him.
1351. Had you attended no meeting?—No meeting, sir.
1352. You had gone to no meeting at all?—No, sir.
1353. Had you canvassed any one?—No, sir.
1354. Did he canvass you?—No, sir.
1355. Did he not?—No.
1356. Did you take no part at all before this conversation in the election?—The day before the election.
1357. Before this conversation; this talk?—No.
1358. That you swear?—That I swear.
1359. Had you not been a supporter of Mr. Blake, the Queen's Counsel?—No.
1360. Had you been to see him?—He had been to see me, but I made no promise.
1361. He was canvassing?—Yes,
1362. You made no promise?—No.
1363. Had you not done your best for him?—For whom.
1364. For Mr. Blake?—I deny it.
1365. It is no reproach if you did?—I did nothing for that gentleman.
1366. He canvassed you?—He did.
1367. When he came to Galway, did you go to him?—No, sir, I did not go to any one.
1368. Did you vote in 1852?—I did.
1369. For whom?—For Mr. Anthony O'Flaherty and for Martin Joseph Blake.

Re-examined by Mr. *Wordsworth.*

1370. You say that Ward walked over to his house?—Yes.
1371. Is Ward's house in the same street as Waldron's?—Yes, sir, about the length from wall to wall here, because there were two doors towards the house, one in Shop-street, and the other in Abbeygate-street.
1372. So that Waldron lives close by to Ward?—Just the difference of a few yards.
1373. Within 50 yards?—It is not 10 yards.

Mr. *James Davis* called.

Mr. James Davis.

THIS Witness objected to be sworn until he had received a larger amount than he had had given to him for his expenses; but, upon learning that he had received 10 *l.*, the Chairman ordered him to be sworn, and to give his evidence, on the ground that he had received sufficient to bring him before the Committee.

The Witness was sworn; Examined by Mr. *Wordsworth.*

1374. Davis, you are a shopkeeper in Galway?—Yes.
1375. You have been so for many years?—Yes.
1376. And are carrying on a good business?—Yes.

1377. An

1377. An extensive business?—Pretty much so.

1378. What sort of a business do you call it?—General hardware and stationery and trimming trade.

1379. A sort of general trade?—Yes.

1380. Whereabouts in Galway are you carrying on your business?—In Shop-street.

1381. Your shop is in Shop-street?—Yes.

1382. And you have been in Galway many years I think?—I was born there.

1383. In 1847, were you carrying on business there?—Since 1830, I have been in business.

1384. You remember the election in Galway in 1847?—Yes, sir; that is the one I believe that Mr. Monagan was a candidate for.

1385. Mr. Justice Monagan and Mr. Anthony O'Flaherty were candidates on that occasion?—Yes.

1386. In 1847, mind, I am speaking of?—Yes.

1387. Did you vote for Mr. Anthony O'Flaherty?—Yes.

1388. In 1847?—Yes, at all times since he has been a candidate.

1389. And you voted for him at the last election?—Yes.

1390. In March last?—Yes.

1391. Do you remember sometime in 1847, before the election of 1847, supplying any goods to Mr. Anthony O'Flaherty?—Not to him personally.

1392. Do you remember his being indebted to you for anything?—I sold some stationery to his committee.

1393. How much was your claim against Mr. O'Flaherty then?—I think there were only 3*l.* 7*s.* at that time; from 3*l.* to 5*l.*, I could not exactly say.

1394. Sometime after that was the debt increased?—It was.

1395. To how much?—It grew up to about 14*l.* Then I became the proprietor of a newspaper, and his subscriptions to the newspaper were part of the items; and some other shop goods became part of the items.

1396. Was 14*l.* the whole sum?—£. 14 and some few shillings.

1397. Was Mr. O'Flaherty's debt to you ever more than 14*l.* odd?—Never.

1398. Did you ever make any demand of Mr. Anthony O'Flaherty for payment of that sum?—I did.

1399. How soon after 1847?—I could not fix the date.

1400. Within a twelvemonth or so?—It might be more than that; I believe it is more.

1401. How often did you make your claim or demand upon him from 1847, up to September 1856; how often do you think; I do not want you to fix yourself to one time; but how often do you think?—I sometimes wrote to him, and furnished him with accounts some two or three times by letter; and perhaps three or four times I happened to meet him.

1402. Between the dates I have given you?—Yes.

1403. Did you ever succeed in getting paid any part of the debt?—I did.

1404. Between those dates?—In September 1856.

1405. *Committee.*] When was the first payment you got?—Some time in 1856; I cannot tell you exactly.

1406. What did you get then?—£. 6. 2*s.* 5*d.*; I think that was the sum.

1407. In September 1856, do you remember going over to Knockbeam?—I could not say the month; at that time there was an auction at Knockbeam.

1408. At Mr. O'Flaherty's place?—Yes.

1409. How far is that from Galway?—Eight miles, I believe.

1410. Whether in September, or not, you do not know, but it was at the latter end of 1856, in last year?—Yes, it was in 1856, at sometime.

1411. Was there a sale there of some furniture?—Yes.

1412. Did you buy any of it?—Yes.

1413. How much?—£. 10; the auction fees and altogether came to 10*l.* 1*s.*

1414. I think you said that at that time, when you bought 10*l.* worth of furniture at Knockbeam, you had been paid part of your account by O'Flaherty: about 6*l.* odd?—Yes; previous to that.

1415. Your balance was, how much?—£. 8, and some few shillings.

1416. Having bought this furniture for 10*l.* at the auction, did you pay for it at that time?—No.

1417. What did you do about the balance of your own debt?—I asked to get credit for the balance of my own debt out of the 10*l.*

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1418. Did you ask that of Mr. Anthony O'Flaherty?—I asked it of the auctioneer, and he referred me to Mr. O'Flaherty.

1419. Who was the auctioneer?—Mr. Connor.

1420. Being referred to Anthony O'Flaherty, did you go to him upon it?—Yes.

1421. What did he say?—He said that the account was let to run too long.

1422. I believe that the Statute of Limitations had run?—Against the first portion of it; and he said that his committee should have paid it.

1423. Now, did things remain in this state until the last election in March?—No.

1424. Did you pay for the furniture at any time? You bought 10 *l.* worth of furniture?—No.

1425. Had you paid for it?—I did not pay for it.

1426. Had you paid for it at the time of the last election in March; coming on?—I got credit for my claim out of the 10 *l.*

1427. From whom?—From Mr. O'Flaherty.

1428. Personally?—Yes.

1429. What was it you got credit for, your claim, the 8 *l.* balance?—I should say it was by a letter that I wrote to Mr. O'Flaherty.

1430. After having written to him, I do not ask you the contents of it, did you see Mr. O'Flaherty yourself; did he come and canvass you?—No; some months before that, I believe in 1856, I myself met Mr. O'Flaherty at the Harbour Commissioners' meeting; he is, I believe, a member of the board, and I, as a member of that board, met him there, and I then tendered him my services, as I had previously given them to him on former occasions.

1431. That was at the end of 1856?—Yes.

1432. You tendered your services?—My vote and interest, unsolicited by him.

1433. Was anything said at that interview by you about your balance?—No, indeed.

1434. About the balance of the 8 *l.* and the furniture?—No, the furniture was not bought at that time.

1435. After having bought the furniture, the 10 *l.* worth, you say you tried to get your 8 *l.* balance set off against it?—Yes.

1436. That was from the auctioneer, who referred you to Mr. O'Flaherty?—Yes.

1437. Tell the Committee what passed between you and Mr. O'Flaherty at any time on that subject of setting off the balance of the 8 *l.* against the 10 *l.*?—Mr. O'Flaherty objected to pay it owing to the length of time that it had remained due, and he said that he was not then in a position to see whether the account was accurate or not, it was so long past over; but he ultimately agreed to leave it to a reference; and Mr. George Burke, of Danesfield, was appointed on his part, and I was to appoint a gentleman on my part. But Mr. Burke happened not to be in Galway, and the thing remained unsettled a long time; and then the election coming on, I wrote a note to Mr. O'Flaherty, enclosing a cheque for the 2 *l.*, saying—

1438. *Committee.*] You enclosed a cheque for the balance?—Yes.

1439. What was the answer?—The answer was a verbal one.

1440. What was it?—He said to me on the first day of the assizes, I think it was at Galway; I met him in Galway, and he said that he had received the note, and begged me to excuse him for not having written in answer to it, and said, "In fact I forgot the transaction; I did not intend to look at the thing further; I looked on it as a settled transaction after I let the furniture go."

1441. Mr. *Wordsworth.*] Go on and tell us what more he said?—He said, he hoped I would then accept of that without any written acknowledgment; I demanded in my note a written acknowledgment as the closing of the account; and he said, "Oh, that would do, and not to give me a written acknowledgment." I said, "I was quite happy in having it concluded so, and it gave me much pleasure that the differences between us were then closed."

1442. Now you say that this was at the assize time?—This was at the assize time.

1443. How long before the election were the assizes?—About the middle of March; I think the 16th of March was the first day of the assizes; I believe that this was the day, two days before the Judges' arrival, when the fiscal business

business commences; I think it was the day the grand jury was sworn, about the 14th of March.

1444. You say you sent a cheque for 2 *l.*?—Yes.

1445. Had that cheque been returned to you in the first instance?—No.

1446. It was never returned to you?—Never.

1447. You say this conversation took place between Mr. Anthony O'Flaherty and you, at the time of the assizes?—Yes, I do.

1448. Was anything said to you about your vote?—Oh no; but, as to the vote, he hoped that our differences might end now, as the account was acknowledged and closed.

1449. Was that all that was said?—That was all, because I had previously promised him to support him.

1450. Did he canvass you after that for the election?—No; I was not at home.

1451. Did he personally canvass you?—No, not personally, except on that occasion.

1452. Did you see Mr. O'Flaherty between the day of the assizes, when you talked with him on this matter, and the day of polling?—Yes, I saw him in the grand jury-room; I was one of the grand jury, and he was the foreman.

1453. You saw him?—Yes.

1454. Had you any conversation between this 16th of March and the day of polling?—Never on electioneering business.

Cross-examined by Mr. *James.*

The *Chairman* stated that the Committee were of opinion that this case did not require any answer, and that therefore Mr. James need not trouble himself with any cross-examination.

Mr. *James* stated that he would just ask the witness one question.

1455. I believe you are a man of perfectly independent means, Mr. Davis?—I hope so.

Mr. *Wordsworth* called for a letter as to which notice to produce had been given to the other side.

Mr. *James* stated that they had not the letter, and therefore could not produce it.

Mr. *Wordsworth* then stated that he should ask the witness some questions upon it.

Re-examined by Mr. *Wordsworth.*

1456. You say you wrote a letter to Mr. Flaherty, enclosing a cheque?—Yes.

1457. What was it you said in that letter?—I wrote to Mr. O'Flaherty, in the letter, that this account was long standing; and although he disputed some portion of it, still that it was a fair and honest one, and, under any circumstances, I would not give up my right to every shilling of it; and that as I was always a supporter of his, and would like to continue so, and that, as the elections would come on, I thought it would be rather odd to bring him into a court of justice to oppose him in one way, while I was politically his supporter in the other; and I enclosed my cheque for 2 *l.*, which was a few shillings more than was actually coming to him, and I hoped that the transaction would end in an amicable way, and that he would acknowledge the receipt of this cheque by acknowledging it as closing our account. If not, that he would return me the cheque, and then I would take some legal remedy for the recovery of the debt.

1458. Was anything said in your note about your not giving Mr. O'Flaherty your influence, unless the balance was accepted?—No; I recollect saying this: "I have already promised you my individual support, and that you shall have, as I have promised it; but if I have to take legal means for recovering this account, I will not promise to give you all the influence I might have."

Mr. *Wordsworth* handed in a paper purporting to be a list of all the persons who had voted for Mr. O'Flaherty, referred to by the witnesses that had been examined.

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After some discussion,

Mr. *James* said he would admit, for the purposes of this portion of the investigation, that every voter who gave evidence before the Committee, and was clearly proved to have been bribed by a ticket, as undoubtedly there were many, had given a vote for Mr. O'Flaherty. But he begged his learned friend, and the Committee, distinctly to understand that this admission was solely with reference to the present investigation, and not in any way for the purpose of the scrutiny.

After some discussion,

The *Chairman* stated that, inasmuch as the list appeared to contain the names of persons who had not been examined before the Committee, they must refuse to accept it.

Mr. *Wordsworth* then wished to be informed whether the Committee would now go into the scrutiny, or proceed to dispose of the petition upon the present ground; first, as to the issue which had been brought before them on the subject of bribing and treating.

After some discussion the Committee determined, that before proceeding to the scrutiny, they would dispose of the petition upon the questions of bribing and treating.

Mr. *James* stated, that though it was usual for the Counsel for the sitting Member, at the present stage of the proceedings, to address the Committee in opening his case, he should waive his privilege in that respect, and defer his observations until after his evidence in summing up.

Anthony O'Flaherty, Esq., called, and sworn; Examined by Mr. *James*.

A. O'Flaherty, Esq.

1459. ARE you the Sitting Member for the Borough of Galway?—I am.

1460. When did your connexion with the borough of Galway commence?—I was called upon to start for the borough of Galway in the month of January 1847.

1461. I believe you contested it in February 1847 with Mr. Monahan, the now Chief Justice of the Common Pleas in Ireland?—I did.

1462. And were you returned unopposed at the general election of 1847?—I was.

1463. And in 1852 were you again returned at the head of the poll, when Mr. Martin Joseph Blake and my Lord Dunkellin (who was returned with you) were candidates?—I was returned at the head of the poll with Mr. Joseph Blake.

1464. Now, you were, as we know, a candidate at this last election, and we have heard something said about a speech of yours, in which you said you had money enough, and so on, for all purposes; will you explain how it was that that speech was made, and what the speech really was?—On the Sunday afternoon, previously to the day of nomination, the very day before the nomination, there was a large meeting of my supporters held in this room that has been talked about; this tally-room opposite the post-office. And a rumour had been industriously circulated, that my candidature was all a hum, and that I would not come to the poll; that I had not any money to pay the expenses of the election. This was mentioned to me by several of my supporters, and they called on me to contradict this report, as it was doing me considerable injury about the town, and, accordingly, at this meeting I took the opportunity of addressing a very large number of them; not as many as the room could conveniently hold, for it was crowded to excess, but I addressed the meeting; and among other things I mentioned that I had heard this report, and that I took that opportunity of assuring those present that I would not have promised to come forward, or have put them to the trouble, or myself to the trouble of canvassing, if I was not prepared with money to pay all the proper and necessary expenses.

1465. Did you say anything on that occasion about having placed money in the hands of Dr. Brown?—No, I am positive that I did not, for I had not placed any money in the hands of Dr. Brown.

1466. Did you say that?—No.

1467. Had

1467. Had you placed a single farthing in the hands of Dr. Brown?—Never.

1468. Directly or indirectly, did you know of Dr. Brown having any money connected with yourself?—Never.

1469. Connected with the election?—Never.

1470. Who was Mr. Bernard O'Flaherty?—Mr. Bernard O'Flaherty was a friend and supporter of mine.

1471. What is he by business?—A man of considerable property, a gentleman resident in the country, possessed of a large property.

1472. Did you place money in his hands for the purposes of the election?—I did on the following day to that speech; on the Monday.

1473. How much?—£. 350.

1474. Did you place one farthing more in the hands of any person?—I did.

1475. How much?—£. 50.

1476. Who to?—Mr. John Oliver.

1477. Will you explain for what purpose it was placed in his hands?—Mr. John Oliver came to me in the street, four or five days before that, and told me that it was necessary to get a room, or to hire a room, and I gave Oliver 50 *l.* out of my pocket.

1478. Did he tell you what the expense would be, or what sum would be required?—He told me that he did not know exactly what would be the expense at that time, but it was necessary to hire a room, and to hire some street agents; he said, "I want some money, have you any about you?" and I gave him 50 *l.*

1479. You gave him 50 *l.*?—I said, "I do not know, I do not think I have any at this moment, but I will get it immediately."

1480. *Committee.*] Is that the same John Oliver who hired the room?—Yes.

1481. Mr. *James.*] Did you place any money in his hands for any improper or corrupt practices of any kind?—Never.

1482. Had you any attorney conducting the election?—I had.

1483. Who was it?—Mr. Cole Rochfort.

1484. I think you said that you gave no money to any other individual?—No money to any other individual.

1485. Were you cognizant of any expenditure beyond that amount which you have stated, namely, the 350 *l.* and the 50 *l.*?—Nothing whatever beyond that money that I have mentioned, except what I have heard stated here about that pound.

1486. The treating at Carrabrowne, you mean?—Yes.

1487. We will come to that presently; now on this Sunday was there any committee formed?—No, not at all; there was no committee; the whole thing was confined to my own speech; it was rather a long one, and I occupied a considerable time; I gave a history of my Parliamentary services, and I spoke about the improvements of the town, and many other subjects, and I also gave a relation of this rumour about this money.

1488. In contradiction of this rumour?—Yes.

1489. Was there any committee at that time; this was the Sunday before the nomination; the nomination was on Monday, was it not?—Yes.

1490. Was any committee organized or formed?—There was not any committee at all, to my knowledge; I have been frequently in the room, and I have found no person there; there may have been an odd one or two persons occasionally, and two or three clerks in an inside room preparing lists of voters, what they call street-agents books; preparing the books for the purpose of giving them to the agents.

1491. Was there any election committee formed?—Not to my knowledge.

1492. Do you know Dr. Brown, this gentleman who has been spoken of?—Very well.

1493. Do you know of Dr. Brown being on any committee?—Not that know of.

1494. Did you ever depute the conduct of the election to Dr. Brown in any way?—Never; he was a particular friend and supporter of mine, and a very anxious friend, indeed.

1495. Do you remember whether he canvassed with you, Mr. O'Flaherty?—I really have no recollection, but probably he may have canvassed with me for a great many people did so; when I went out on my canvass, generaly,

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the crowds gathered round and followed me round the town, wherever I went and I could not take on myself to say who was with me at all.

1496. Did you ever depute him to canvass for you?—Never; I do not know, of my own knowledge, but I heard that he was never with me at all.

1497. We will come to that presently; you say that he may have followed you, as others did?—He may have done so, but I cannot say.

1498. But you never deputed him to canvass or follow you in any way?—Never.

1499. Do you remember seeing Hynes before he voted?—I have not the slightest recollection of seeing such a person.

1500. You heard the witness examined about his car hire?—I did.

1501. Did you send him to Dr. Browne about his expenses?—Positively not, for I was particularly cautious; I do not think that any person can state that I ever promised or held out the slightest hope to any one in any way; I was particularly cautious; I knew that there was a set made at me, and therefore I was the more cautious.

1502. Do you remember this occasion at Carrabrowne, as to David Corcoran?—I recollect being at Carrabrowne, but I cannot say I recollect the man.

1503. Do you remember some boys asking you for something to drink?—I recollect going to Carrabrowne very early in the morning, to anticipate my opponent in the canvass; Mr. Blake was then my opponent, and in order to anticipate him in the canvass, I started from Galway about seven o'clock in the morning, and I went to Carrabrowne with some friends, and I was directed to several houses where these voters resided.

1504. *Committee.*] You were directed to the voters?—I was directed by my friends, "That is a voter's house," and so on, and I went to the different houses, and I met some few voters outside among the people as I went along in the road, and when I was told "that is a voter," I canvassed him and so on. There was one of the men that I saw yesterday that I was speaking to, the man with a brown coat.

1505. Mr. *James.*] You mean Corcoran?—I do not know his name, but his face I remember.

1506. Do you recollect some boys asking you for some drink?—I recollect that we were coming out of a small village road into the main road at one place, and there was a large crowd of young people, women and boys and all kinds of persons there collected, and the young people began to hurrah and go on in that sort of way, and some of them called out for the price of drink. I gave no answer, but I walked away and went on my road towards Galway.

1507. Now we hear that Mr. Bernard O'Flaherty gave them 1*l.*?—He very likely did; but I do not know whether he did or not, I do not contradict it, but he may have done so.

1508. Did you give them any money?—Not a farthing; I have heard that Bernard O'Flaherty did give them 1*l.*; I do not know it, but I have heard so.

1509. Now you have been sitting in this committee-room, and have heard about these transactions of the tickets and the money passing through this Dr. Browne?—Yes, I have.

1510. Now I ask you Mr. O'Flaherty, because it is a serious matter; I ask you solemnly and seriously whether you in any way had cognizance of those transactions?—I knew no more of those tickets nor anything connected with them than you do.

1511. I am speaking of the sealing of the tickets and the taking of the tickets after the vote, and the obtaining of money for them?—I never knew anything about that until I came into this room; I know that the voters had tickets for the convenience of polling.

1512. But the obtaining of the money for them?—No; I have heard it rumoured that they got money, and all that kind of thing.

1513. *Committee.*] When did you first hear that rumour?—Since this petition has been on. It was all rumoured about that they were going to prove bribery, and all sorts of things.

1514. Mr. *James.*] You say that there were tickets issued for the purpose of polling; did you see those?—Yes; I saw one of those tickets, I think it was a white one; we had two tally-rooms on the polling day, and there was one very near the court-house, in order to facilitate the voters, and I happened to go into that one to see why some of the voters did not come up quicker; they did not come

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come up so quick as I thought they should do, and I went in there to see the reason, and a gentleman there. I think Mr. Burke showed me a ticket, and I said, "What in the world is this ticket for." "Oh," he said, "this ticket is for the facility of voting; a man who is going to vote for you, takes up one of them to the poll, and that facilitates them, and the same kind of thing is used by Lord Dunkellin."

1515. I believe Lord Dunkellin's and your agents, used the tickets for the purpose of telling them where to go?—Yes.

1516. Do you know anything of the use that was made of them afterwards by Dr. Brown putting his seal on them, and of money being obtained for them, as we have heard it stated here?—Never.

1517. Did you provide any money for that purpose?—I never was asked for a farthing of money, except a car driver in Galway asked me for money that was due to him about a month ago; but I was never asked for a farthing of money, nor for anything than that 400 *l.* which I gave, as I have told you.

1518. Did you have cognizance of any money being expended in this manner that has been stated by Dr. Brown, giving it to voters in the way that you have heard?—Positively not.

1519. Directly or indirectly?—No.

1520. Now, I put it to you, distinctly and clearly, to have it distinctly on the notes, whether you gave any monies to spend, directly or indirectly in that expenditure?—Not one farthing.

1521. Or knew of money being so spent, or of any of those transactions?—Never, most positively.

1522. I believe, as regards the voters, the freemen in the borough are the most corrupt portion of the borough?—I am sorry to say that that is their character.

1523. Had you a majority of freemen?—I had not a majority of freemen, but quite the other way; but I had nine-tenths of all the respectable voters in the town; men of competency and householders.

1524. What are the number of freemen?—I think about 540, but I am not quite accurate; I think; I am not quite sure about that.

1525. I believe out of that 540, you polled about 100?—I could not tell you, but I held a very small number in proportion.

1526. Did you know of the fact, that Dr. Brown was in the room, seeing voters after they had polled?—I never heard of it till I heard of it here.

1527. Except seeing Oliver, and giving him that money which you say he asked you for, for the hire of the room and the other expenses; was Oliver employed in any way as agent; did you depute him to do anything else?—I deputed nothing to Oliver beyond what I have told you; he came to me to tell me the house was wanted, and that he wanted to take it, and that he wanted money for that purpose.

1528. Now, as to Miles Ward, had you anything to do with him?—Nothing, beyond his being a supporter of mine: he was a warm supporter.

1529. Did you tell him to do anything at the election?—Nothing whatever.

1530. Martin Tierney; did you depute him, or had he, to your knowledge, anything to do with the election?—Nothing.

1531. Matthew Usher, did you depute him?—I did not know the man, even; I saw him here for the first time outside this door, and I asked who he was, and I was told his name, but before that I did not now the man.

1532. You did not know him at all?—I may have seen him in Galway, but I certainly did not know him.

Cross-examined by Mr. *Wordsworth*.

1533. Dr. Browne was a friend of yours?—Yes.

1534. You have known him many years?—Yes, many years.

1535. He is a professor of medicine, of Queen's College in Galway?—Yes, he is a professor of surgery.

1536. And medical officer of the poor-house?—Yes.

1537. And you are chairman of the Board of Guardians?—I am.

1538. When did you last see Dr. Browne?—On Monday last; I met him in the street, close to St. James's Church.

1539. In London?—Yes.

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1540. That was the last time?—I saw him on the same afternoon at Mr. Radcliffe's and Mr. M'Nevins, who lived together in 37, St. James's-square. On the evening of the same day I happened to go in there on business with Mr. M'Nevin, and there I saw Dr. Browne.

1541. That was last Monday?—I think it was last Monday.

1542. Had you seen him in London just before that?—No, never.

1543. When was the last time you saw him?—The last time before I left Galway.

1544. When was that?—On the 14th of June I left Galway, and I think I might have seen him the day before that.

1545. You saw him in Galway then?—Oh, yes.

1546. You had never seen him since, from that time until last Monday, when you saw him near St. James's-square?—Never.

1547. You have had letters from him?—I have.

1548. The last time, if you please, when you got a letter from him, I should like to know?—The last time was three weeks ago; I think so, I am not sure, exactly.

1549. Since which you have seen him last Monday?—Oh, yes.

1550. Was any appointment made by him to meet you there?—No.

1551. Was it a casual meeting?—Perfectly; I was perfectly surprised at meeting him.

1552. Where was that letter dated; the post-mark on that letter?—I think Galway; I think so; I am sure of it; I am almost sure of it.

1553. Have you any doubt?—Indeed, I do not think that I have any doubt as well as I can recollect; but I am almost sure.

1554. You saw him twice?—I did.

1555. On the same day?—Yes.

1556. Where first?—The first day going home to the Reform Club, where I lodge in Brooke-street, and going across; going up across the lane near there I met him with another gentleman near St. James's Church.

1557. You stopped and had some talk together?—Oh, yes.

1558. The next meeting was when?—The next meeting was in the afternoon of the same day; I went by appointment to Mr. M'Nevins with reference to the election.

1559. Mr. M'Nevins is your agent?—Yes, my Dublin agent; and I went down to see him, and I there found Dr. Brown.

1560. With your agent?—Yes.

1561. With your agent you found Dr. Brown?—Yes.

1562. Did you have any talk with Dr. Brown on that occasion?—I had.

1563. On the subject of this election?—Not one word.

1564. And on any other occasion?—No.

1565. And you never communicated with him in writing from the time of the election up to the present time on the subject?—I do not mean to say that I had not any communication, for he wrote me two or three letters, and told me the goings on of the party in Galway, and about the getting up of this petition; that was, in fact, the subject of the letter.

1566. When you are in Galway, you are on intimate terms with Dr. Brown —Very much so.

1567. You visit and dine together?—Yes.

1568. Did you dine with Dr. Brown at any time after the election?—Oh, yes

1569. How often, do you think, between that and July?—Not very often I think twice, or it may be three times, but I am not quite sure.

1570. You have dined, and been some hours together?—Oh, yes.

1571. Have you had no conversation with Dr. Brown on those occasions, or any of them, about the election that had taken place?—Frequent conversations

1572. Now, in any of those conversations did Dr. Brown never tell you about the sealing of the cards?—He never told me a word about it.

1573. He never told you where he was on the day of polling?—Never.

1574. I believe Dr. Brown has got leave of absence?—He did, before I left from the board of guardians.

1575. Of which you are chairman?—Yes.

1576. What leave did you give him?—I think 10 days.

1577. Has that leave been extended from time to time?—I know nothing of it since I left; I left soon afterwards.

1578. Whe

1578. When was the leave for 10 days given?—When was it given.

1579. Yes?—Probably five or six weeks ago; I am not quite sure; I cannot answer to the exact time.

1580. Do you know, in point of fact, whether he has ever returned to his duty since that leave of absence?—I know nothing of him except what I tell you.

1581. I ask you, as chairman of the board of guardians, do you know whether he has ever returned to his duties since that leave was given?—I cannot tell, for I have not been there myself; I have no communication with the board of guardians, except they write to me on Parliamentary matters; except when I am there, I attend the Board, or from what I read in the newspapers.

1582. Did you ask him about his leave of absence when you met him?—No.

1583. You took it for granted that he had got an extended leave of absence?—I did.

1584. Have you any idea as to whether he is in London?—I inquired, and I heard he left town; and the person who told me did not know where he had gone to, but something was said about Folkestone.

1585. On the other side of the channel?—No.

1586. Having heard what has transpired in this committee-room, have you taken any steps to get the attendance of Dr. Brown here?—No, I have not.

1587. This committee-room that has been spoken of was opposite the post-office we are told?—It was.

1588. You were there on Sunday the 29th, when you addressed the meeting there?—Yes.

1589. What part of Galway did you reside in at the time of the election?—My house is about a mile and a half outside the town, on the sea-coast.

1590. But when the active time was coming on, had you any particular house in Galway that you might call your own to be in and out of all day?—Yes; Trap's house is where I spent my time, and Dr. Brown's house, and there were many other houses.

1591. How far is Dr. Brown's house from the post-office?—I should think it is about half a mile at least, as far as I can judge.

1592. On the day of polling, I suppose you were canvassing a good deal?—Not at all.

1593. Not at all?—I was at the Court-house almost all the day; I had been about the booths; my canvass was completed several days before that.

1594. Had you no persons acting for you except in the booths; in any house?—I do not know what you mean; if you ask me any question I will answer it.

1595. Was there any person acting in any house for you conducting the election on the day of polling?—There was the tally-room, near the Court-house, and the other room near the post-office; the voters were sent from one place to the other, but I do not know who was in the house; I do not think I was in the house more than once; I was only once in the one room, and once in the other, because I thought my place was to be near the polling-booths as much as possible.

1596. I am obliged to put these questions to you; will you be kind enough to tell me who it was conducted your election business at the tally-room on the day of polling?—I do not think it was a solicitor at all; I think it was Mr. Burke; he was a very active person, but whether he had a solicitor to assist him or not I do not know; I believe that the gentleman is here.

1597. I am not speaking of the room opposite the post-office, but of the tally-room; you say "I think it was Mr. Burke;" have you any doubt about it?—I saw Mr. Burke there, and he was very active.

1598. Was there no one else?—There were a good many in the room.

1599. Was Oliver there, or Dr. Brown?—I did not see either of them there.

1600. Neither of them?—Neither of them.

1601. Nor Miles Ward?—I do not recollect seeing Miles Ward there; I think it was merely the business of writing and preparing those cards to go to poll that was done there.

1602. Is your memory so perfect as to enable you to say they were not there?—They might have been there; I do not mean to say they were not there; but as far as my recollection goes, I cannot say that they were there.

1603. The excitement prevailing at the time might have prevented your noticing them?—There was, no doubt, great excitement.

1604. Now about the committee-room opposite the post-office; you were there on the day of polling, were you not?—I was certainly there once; I was there very early in the morning; I was there between six or seven o'clock in the morning.

1605. Am I to understand you that on the day of the polling you were not at that committee-room?—No, I did not say anything of the sort; I said I might have been there once or twice in the course of the day, when you asked me before.

1606. You said that you were there at six or seven o'clock in the morning?—I said before, in a former answer, that I was not there more than twice, and I thought my duty was to be at the booths instead of that room.

1607. I am speaking of the day of polling; what was the time about which you think you were there, on the first occasion?—On the first occasion, I was there between six and seven o'clock, when a remarkable circumstance occurred.

1608. On the second occasion, about what time were you there?—Allow me to finish; the first occasion was, that some of my voters were coming up in cars, and I was there to receive them as they came up, and two voters came off the car to come into my room to go to poll from there; and immediately they did so, Colonel French's mob gathered round them and carried them away, and those two men voted for Colonel French, I believe.

1609. What was the second time?—As I was going to breakfast at the club, about 10 or 11 o'clock.

1610. That was the second visit?—Yes; I cannot be accurate.

1611. You said Mr. O'Flaherty, that you had got a room there; your room; at the committee room?—No, I did not say anything about it.

[The shorthand writer was requested to read the answer referred to, and did so.]

1612. Will you be good enough to explain that?—I mean that room in the house opposite the post-office; call it what you please.

1613. Whether tally-room, or committee room, is immaterial; how many rooms in this house were used?—A large kind of entrance down below, a hall kind of thing, very imperfect; it was no kind of house, and there were two rooms up stairs, a pretty large room, not very large rooms any of them, and a small room, that was partitioned off.

1614. The large room was used as a committee room, was it not?—No, I never saw it; it was a room in which my friends used to meet and talk and smoke, and all those sort of things.

1615. They used to meet there?—Yes.

1616. Who was it that conducted your business at that place; I asked you about the other?—Really I could not tell; I do not know whether Mr. Rochfort was there or not; I do not think there was very much business at all done there; it was rather too far from the Court-house for convenience, and that was the cause of getting the other room.

1617. It is not a question of the quantity of business?—I do not know at all.

1618. Was there more than one person engaged there in transacting your business?—I cannot tell you how many, or how few.

1619. You cannot give the names?—No.

1620. Did you breakfast with Dr. Brown on that morning?—No.

1621. Where was it you last saw him on that morning?—I do not think I saw him; yes, he was with me at the time that these two voters were rescued from me.

1622. At this very house, opposite the post-office?—Yes.

1623. Did you leave him there and go back to the polling-booths, or what you had to do?—As soon as the polls were opened, at eight o'clock.

1624. Did you leave Dr. Brown there?—I do not know what became of him; I saw him afterwards in the Court-house.

1625. You went to attend to whatever you wished to attend to?—Yes.

1626. Did you leave Dr. Brown there, to the best of your recollection?—I have no recollection, but I rather think I did not; he went to the Court-house, I think.

1627. About

1627. About what time of the day was it when you left Dr. Brown there?—I do not know that I left him there at all.

1628. When you saw him there?—I saw him there at seven o'clock in the morning.

1629. You did not breakfast with Dr. Brown on that day?—No.

1630. Had you dined with him over-night?—No; I had not much eating in Galway; I thought it better to go into the town.

1631. Had you seen Dr. Brown on the evening before that?—I think not; it is my own impression that I did not; the mobs were all outside, and we were rather afraid of our heads.

1632. Having seen Dr. Brown in the committee-room at six or seven o'clock in the morning, did you see him again on that day?—Yes.

1633. How soon after?—I might have seen him two or three times probably; I have no recollection of it.

1634. Could you say that you did not see him, Dr. Brown, on the same day after the first time, as many as three times?—I might have seen him three times.

1635. Have you any doubt about it?—I really do not know.

1636. You not only saw him, but in the same place?—No, it was not more than once beyond the time in the morning, if it was so often.

1637. Were you not in the street?—Yes, frequently, up and down.

1638. Did you see Dr. Brown inside?—No, except in the Court-house.

1639. Am I to understand that your recollection, Mr. O'Flaherty, is so complete as to enable you to say that you did not see Dr. Brown again during that same day, either in that house or in the same street in which it was situated?—I could not say; I might have seen him in the same street.

1640. What is your belief about it?—I might or I might not; I cannot say positively; I do not swear either way; it is very likely I did; but I am not positive; I do not say I did not.

1641. Mr. Bernard O'Flaherty is a friend of yours?—Yes.

1642. How long have you known him?—Many years.

1643. What is he?—A very respectable gentleman.

1644. Living near Galway?—Living near my place, about half a mile from me.

1645. Is he any relation of yours?—No, I think not.

1646. Is he a man of fortune?—He is indeed; he is an independent gentleman.

1647. He took a warm interest in your election?—He did.

1648. Was he with you very often canvassing?—I think he was.

1649. Have you any doubt of it?—No; I do not know that he was very often with me, but he was certainly with me; my canvassing went on one or two days altogether.

1650. I understand you to say that you had given Mr. Bernard O'Flaherty 400 *l.*?—No, 350 *l.*

1651. When was it you gave him that?—I think it was, to the best of my knowledge, I am quite sure it was on the Monday, on the day of nomination.

1652. Where was it?—I think it was at my own house I gave it him.

1653. You keep a bankers' account?—No, I do not.

1654. You do not bank at all?—No.

1655. Did you give it to him in notes?—In Bank notes.

1656. One pound notes?—No, 50 *l.* notes, or 100 *l.* notes; there were some of them 100 *l.* notes, and some in 50 *l.* notes.

1657. No small ones; no 1 *l.* notes?—I gave him no small notes; no 1 *l.* notes at all.

1658. Has he ever accounted to you for that expenditure since?—No; except that election audit expenses.

1659. Where is Mr. Bernard O'Flaherty?—He is in Ireland.

1660. When did you last hear from him?—I do not think I heard from him at all since I came over to London.

1661. You have not seen him?—Yes; I saw him when I was at home, frequently. I went home the latter end of May from London, and I came back again on the 14th of June, and I saw him several times.

1662. You have not seen him since?—No.

 1663. You

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1663. You know Oliver, the baker, very well, in Mainguard-street?—Yes; very well.

1664. Have you ever been in his house?—I have been in his shop.

1665. Or the back of the shop?—I believe I was twice in the shop; I was there canvassing at the last election; and I believe in the former canvas I was there also.

1666. Has he been a firm supporter of yours?—Yes, always.

1667. You got a situation for his son?—For his son-in-law.

1668. What situation was that?—Something in the custom-house at Galway, a clerk.

1669. Since the election in March, or before?—Oh, no; before the election; long.

1670. How long?—Twelve months, I think.

1671. You say Oliver came to you, and asked you for a sum of money, and said, that it would be necessary for him to have some money to hire a room?—Yes.

1672. And to get some street agents?—Yes.

1673. And you gave him 50*l.*?—Yes.

1674. Has he ever accounted to you for that?—No, not to me.

1675. Have you ever asked him?—No; I left that to the agent to manage.

1676. Whether he has spent 50*l.* or not, you do not know?—I have heard since I came here that he rendered an account of it, but I am not sure about it myself. I cannot give you any personal knowledge about it.

1677. You have got a situation for the son-in-law of Oliver; did you get a situation for the brother-in-law of Usher?—Not that I know of.

1678. Do you know a man of the name of Wornmen?—He is the son-in-law of Oliver.

1679. Do you know a man of the name of Lee?—Yes.

1680. Have you got an appointment for him?—Yes.

1681. When?—I think about a very short time before the election. I do not know whether it was before, but I think it must have been before the election.

1682. Was it not since the election?—Certainly not. I do not know whether the appointment was conveyed to him since, but it was obtained before.

1683. The appointment was obtained before, you say?—It was applied for certainly before.

1684. You knew him to be a brother-in-law to Usher?—I did not; this is the first I have heard of it; I knew him to be the son-in-law of a man named Pearce, of Galway.

1685. Did you obtain that appointment at the solicitation of Oliver?—No, at the solicitation of Pearce, who represented himself to me to be the father-in-law of Wornmen.

1686. Do you know a person of the name of John Daly?—Yes, I think I do, personally; I know a person of the name of Daly, but I do not know his christian name.

1687. Do you know a man of the name of Daly, who is a cooper at Galway?—I do.

1688. I think his father kept a public-house in 1847, when you started in Galway?—It was the father, I may say, that I knew, he voted for me in 1847.

1689. Did he keep a public-house?—So I am told; he made a claim against me for a debt.

1690. In respect of that recollection, and his being a public-house keeper, I ask you, did he make a claim against you?—He did.

1691. For how much?—I cannot tell.

1692. Twenty pounds?—I think it was something about that.

1693. That was the cause of a sharp contest between Mr. Justice Monaghan and yourself?—It was.

1694. At the last election in March was that claim still unsatisfied?—Yes, I believe so; a young man who represented himself to be the son of this man, came to me to tell me so.

1695. Did that young man vote for you?—I do not know.

1696. Do you not know that both the father and the son voted for you?—I think I heard about it, I am not sure.

1697. Have

1697. Have you any doubt of it?—The polling-book will tell you if he did; and, if the polling-book says so, of course he did.

1698. Both himself and the father voted for you?—It may be so.

1699. And before he voted he came to you about his claim?—He did.

1700. Had you any conversation with him about it?—I did.

1701. Has the claim been paid since?—I do not know.

1702. You have not paid it?—I will tell you the conversation; he came to me, and told me that his family was ruined in consequence of a claim; that his father was in great distress in consequence of an unsettled claim since my election in 1847. I told him that I was very sorry that any person should be injured on my account, but I said, "I am in no way responsible for any of the debts of the election of 1847; I was called upon to stand for the town, and to be returned free from all expense, and I considered myself in no way obliged to pay any debt in connexion with the election of 1847;" then he stated that he was exceedingly poor, ruined, and his family very poor, and in a wretched condition, and all that; but I said, "I am sorry for it; if there is any claim, or anything, I am willing to leave it for the arbitration of any fair and proper and respectable gentlemen, and if they decide that I ought to pay, I will do so;" but what became of the matter from that time to this I do not know.

1703. Would you be kind enough to say how recently, before the day of polling was it that this conversation took place?—I cannot say.

1704. Was it on the nomination day?—No.

1705. You canvassed voters personally?—Yes.

1706. Did you canvass Daly?—No.

1707. Nor his father?—Daly came to me.

1708. After this conversation did you canvass the father and the son?—I might have canvassed the father, but I do not recollect canvassing the son, nor do I recollect canvassing the father, but I might have done so; there were always a number of persons with me to show me the numbers of the houses, and the people to go to, and I doubt very much whether I should know Daly if he came to me, my conversation with him was so short.

1709. In this conversation, when he talked of his being ruined in consequence of the claim of 20*l.* not being settled, the election was coming on; did he say anything about his father and his votes?—I think he said his father and he had votes, and that he would wish to vote for me, but that his father was very much injured by this unsettled claim in 1847, and in fact in a ruinous condition.

1710. When he said his father would like to vote for you, did you thank him?—Of course I did.

1711. You thought then, that he was a certain voter?—I did not say so.

1712. I say you thought so?—I thought that as the man came to me expressing himself kindly towards me, that I might thank him.

1713. That was your conclusion?—I did not think much about the matter.

1714. Whatever your conclusion was, Mr. O'Flaherty, did you canvass the father?—I might have done so; I canvassed every one as far and as closely as I possibly could, and I very probably canvassed him, but I am not sure.

1715. You say that there was no committee formed?—Not to my knowledge.

1716. There was a meeting of your supporters on Sunday the 29th, at this house?—There was a very large meeting.

1717. About 100 persons were present?—The room was filled to suffocation almost; we had to take out the windows and let in air, and so forth.

1718. You made a speech?—Yes.

1719. Was there not before or after your speech, a list of names read over?—I never heard it; I do not think there was; I think that we left the room immediately and went out; I think that the conclusion of the meeting was, that the people should go out and partake themselves in the canvass, and go away.

1720. That was the conclusion?—Yes.

1721. Am I to understand, that after explaining your political views, and also about the money for proper expenses, you left the room?—I think so; that is according to my recollection.

1722. How long were you there altogether?—I might have been there; there were other speeches made as well as mine; I was not the sole speaker; I might have been there two hours or more, perhaps.

1723. Was Coll Rochfort there?—I think so.

1724. Have you any doubt about it?—There were a great many people there.

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1725. Was John Oliver there?—I think so.

1726. Miles Ward?—I could scarcely say that any of those were there.

1727. You know Miles Ward?—Very well, but it does not follow that I know he was there; I would tell you in a moment if I knew they were there; I knew that there were a great number of my supporters there; they were pretty nearly all supporters of mine.

1728. Oliver was there?—I cannot tell you whether Oliver was there.

1729–30. You have just said so?—Well, I really do not know; I cannot give you specific answers; If I were to lose twenty seats I would tell you if I knew the fact.

1731. Your recollection will not enable you to say that Oliver or Dr. Brown were not there?—I cannot say that they were not there; I cannot say that they were there.

1732. Have you any doubt of Mr. Bernard O'Faherty being there?—I have as much doubt about him as any of the others.

1733. Why you gave him the money?—Not on that day.

1734. You said so?—No, no; do not put words into my mouth; I gave him the money, as I told you, on the Monday, and this meeting was on the Sunday.

1735. Having given him the 350 *l.*, was he not with you in this room, and with several friends?—I think that very likely, but I cannot say positivley that he was there or not; I think it was very likely that he was, extremely likely.

1736. When you said that you had got money enough for proper expenses, did you not say that you were going to lodge that money for proper expenses with any one?—No, I never said who I lodged the money with; never to my recollection, and I believe my recollection bears me out in what I stated; I stated that I was prepared with money sufficient for the proper expenses, and that I would not take the trouble to offer myself, or to canvass, if I had not.

1737. Is your recollection so certain that you could say that you did not state, not only that you had got the money necessary for proper expenses, but that you were going to lodge it with Mr. Bernard O'Flaherty?—No, I think I did not say so; it certainly was my intention at the time, but I have no recollection of saying it, and I believe that I did not; but certainly it was my intention to have done so the next day; he was a gentleman in whom I had the strictest confidence, and I thought he was the best person that I could select.

1738. Had there been a previous meeting to the one on Sunday?—I think there was.

1739. When was that one; on Saturday was it not?—I do not think it was on Saturday; it was some days before that; they do not hold meetings in Galway on Saturdays, because it is a busy day, market day.

1740. There was a meeting before that?—Some days before that; I do not recollect the day, but I think there was a meeting.

1741. Do you know John Gunning?—Yes.

1742. Was he in the chair?—I think he was.

1743. Have you any doubt about that?—I think John Gunning was at the head of the table; I think he was in the chair.

1744. You have said that Mr. Coll Rochfort was there?—Was where.

1745. At the meeting of the 29th?—I said I could not recollect whether he was or not; I said it was very likely that he was there, but I said that I could not recollect.

1746. You say Gunning was in the chair?—I think he was; not on the 29th.

1747. At another meeting, some days before?—I think so.

1748. Was Coll Rochfort there?—I do not know; he might have been there; I think he was.

1749. Coll Rochfort was your election agent?—He was.

1750. Have you any doubt that he was there?—My own impression is, that he was there.

1751. So you believe that Coll Rochfort was there. Now let me ask you this question, Mr. O'Flaherty, did not Mr. Coll Rochfort propose a list of names of persons to serve upon the committee?—No, Coll Rochfort did not.

1752. Did any one else?—No; they talked of forming a committee, and one proposed one name, one proposed another, and another another, and so on, and Coll Rochfort had nothing to do with the formation of a committee.

1753. Was Dr. Browne named as one of them?—I do not recollect a single name,

name, not one could I tell you of the whole committee; but very probably he was, but I could not tell you.

1754. Do you remember Oliver's name?—Very likely.

1755. Or Miles Ward, was he on the committee?—Very likely; they were friends of mine, and of course it is natural to suppose it.

1756. The probability being that they were; I ask you to test your memory, will you undertake to say they were not there?—I took no interest in the matter; I think that I left the room in a very short time, and I did not take sufficient interest in it to remember.

1757. You will not say that they were not called over?—No, I will not say anything of the kind.

1758. Do you remember seeing pens, ink and paper before Coll Rochfort?—No.

1759. Was there no book before Coll Rochfort?—No.

1760. No paper?—I do not remember, I am sure, whether there was a pen and paper.

1761. Do you mean to say that Coll Rochfort did not call over the list?—I said, I could not tell you whether he did or not; my impression was that it was not Coll Rochfort, but some other person might have been writing; I say as far as my recollection goes, Coll Rochfort did not take them down. I heard one man say, we ought to form ourselves into a committee to assist in the election; then one man went on talking about such a person being a proper person, and so on, and then another, and I left the room in the middle of it.

1762. How many days was that before Sunday the 29th?—I cannot tell you.

1763. Was it in a week?—It might have been a week, or more.

1764. Did you make a speech on that occasion?—I do not think I did; I might have said a few words, but my own impression is that I did not; but I could not be positive.

1765. You were returned in 1852?—Yes.

1766. What did it cost you?—I do not think it cost me anything at all, because I was at the head of the poll, and the fight was between the other two. I believe that that was the unfortunate cause of this petition, my being at the head of the poll, and Mr. Blake punishing me for that outrage against his feelings he has carried this petition on against me, and that is the whole history of it.

1767. At any rate the election was inexpensive to you?—It was quite inexpensive, it cost me a few pounds, nothing of importance.

1768. Was the election of 1847 expensive?—1847 cost me some money.

1769. A great deal of money?—Not compared with the contest; I think I paid 1,500 *l.*; it was said that I was to be returned for nothing; I never would have stood for Galway if I had not been assured, in 1847, that I should have been carried in free of expense; but instead of that it cost me 1,500 *l.*

Cross-examined by Mr. *James*.

1770. You have never denied for a moment that this gentleman, Dr. Brown, was an active friend of yours, and has always been so?—Yes.

1771. Were you aware, to any extent, of these transactions of his?—I knew no more about them than you do.

1772. I know nothing about them?—Or any one in the room.

1773. You have been asked about your communications; when did you leave Galway?—On the 14th of June.

1774. You had communications with him in which he spoke of this petition, in anticipation, against you?—Yes.

1775. In any of those communications, had you any intimation of what he had been doing, directly or indirectly?—He never told me of what he had been doing in any way at all.

1776. I must ask you a delicate question with respect to this rumour that had been circulated about your not paying the expenses, you will excuse me for putting it to you, but I believe you had paid very large liabilities for some distant connexion, and was it with reference to having paid that large sum that there was a rumour spread abroad to the effect that has been stated?—I cannot say; I suppose it was.

1777. You paid a large sum of money?—I paid a large sum of money, and

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have secured large sums of money; I am obliged to pay very large sums, at least I have secured large sums.

1778. Have you anything to do with the leave of absence of Dr. Brown?—No, nothing at all.

1779. When you were there it was applied for?—There was a written application in the usual form, I and happened to be in the chair at the time, and put it to the Board.

1780. And the ten days for which it was granted expired long before you left?—Yes; I know nothing of the transactions of the Board, except what I read in the Galway newspapers.

1781. About Daly. You have been asked about Daly and this claim; you say that he made some claim at the last election, and you said that you would leave it to any respectable person?—Yes, to Mr. George Burke, of Danesfield, or any other person.

1782. Was anything said about the vote?—He said he had suffered, or his father had.

1783. Had he been always a supporter of yours?—He voted for me in 1847, I recollect; but I cannot tell you whether he did in 1852; he may or may not have done so.

Re-examined by the *Committee*.

1784. Was there any publication during the day of the number of votes taken from the different booths?—No, I think not; I never saw any.

1785. When did you ascertain the numbers?—Not till the evening.

1786. There was no publication from time to time?—My friends and agents generally used to go and take the number in pencil at the several hours, 11, 12, and so on, not at every hour, I think; I saw a return once or twice during the day.

1787. Were those taken to the tally-room?—No, it was in the Court-house that I saw them; it was brought up to me to see how I stood by one of my friends.

1788. With reference to the 50*l.* which you deposited with Oliver, I understood you to say that the first purpose for which you deposited that sum was the hire of a room?—He told me that he wanted to hire a room, and also to get some street agents.

1789. Street agents; what I wanted to ask you was, whether you allowed him the power to choose the street agents for you?—No, he was a very active friend of mine, and he certainly knows the town remarkably well, and knows the persons most fitted for the employment, and he would of course submit them to the conductor of the election afterwards.

1790. He was to nominate them?—To select some of them, at least.

1791. And submit them to the approval——?—Of the solicitor, for I had nothing to do with the details of the arrangements.

1792. Was he to pay those persons out of the balance of the 50*l.*?—I do not know what he was to pay with it; I had no smaller notes in the house when I gave him the money; I had this money for the election purposes, and and I gave him a 50*l.* note.

1793. Was he to hire the room, or to choose the room?—I do not know what the circumstances of the room were, whether it was he went to treat with Mr. Kilrahan; I heard Kilrahan was not satisfied with Mr. Rochfort, and he preferred Mr. Oliver's security, but of that I know nothing, of my own knowledge; he came to me to know about the hire of the room; he said he thought it high time to hire a room, and get street agents.

1794. Was he to hire the room, or to choose it?—I believe so; I had nothing to do with the choosing myself; I did not see the room until it was hired; I knew nothing of the arrangements, nor did I know what it was to cost, or anything of it.

1795. He was to select the room, and nominate the street agents?—I think he said he would select them, and prepare them for their work, and submit them to the solicitor; and that, I presume, would be the course to be pursued.

1796. Had you any authorized committee at all?—I never heard of it.

1797. There was no printed list?—No.

1798. Have you ever had Rochfort's account?—No.

1799. No communication with him about it?—No.

1800. Nor

1800. Nor with Oliver, as to this 50 *l.*?—No. *A. O'Flaherty, Esq.*

1801. Nor with Bernard O'Flaherty?—Nor with Bernard O'Flaherty.

11 July 1857.

Mr. *James* stated that Mr. Bernard O'Flaherty had paid the 260 *l.* for the election auditors' accounts.

Committee.] Oh! that is not important.

Mr. *Webster* stated that the fact of the payment of the 260 *l.* rested entirely upon Mr. James' statement.

The Chairman asked whether that was an important matter.

Mr. *Webster* would only request the meeting to remember that the 15 *l.* contained in that account was proved to have been paid out of the 50 *l.* given to Oliver, and therefore could not have been paid by Mr. Bernard O'Flaherty at all.

[Adjourned till Monday, at Eleven o'clock.

Lunæ, 13° *die Julii*, 1857.

MEMBERS PRESENT:

Joseph Christopher Ewart, Esq.	Lord Lovaine.
Alexander William Kinglake (Bridgwater.	Henry Gerard Stewart.

GEORGE CLIVE, Esq., IN THE CHAIR.

Mr. *James* applied for permission to call another witness, namely, Mr. Coll Rockfort.

Mr. *Wordsworth* objected, on the ground that the adjournment from Saturday had been granted, upon Mr. James' statement, that his case was closed, and at his request, in order that he might prepare the observations which he had to address to the Committee.

After some discussion, the room was cleared.

After some time, counsel, agents and parties were called in, and informed that the Committee had resolved that Mr. Rochfort should be examined by the Committee without the intervention of counsel.

Mr. *Wordsworth* applied for liberty to cross examine.

The *Chairman* stated, that if leave were given to the counsel for the petitioners to cross-examine, permission must also be given to the counsel for the sitting member to examine in chief.

Mr. *Wordsworth* was willing that such permission should be granted.

Mr. *James* said he should confine himself to an examination for the purpose of proving that the balance of 50*l.* given to Mr. Oliver by Mr. Anthony O'Flaherty had been paid over and duly accounted for to Mr. Rochfort, by whom it had been disposed of in the expenses of the election.

Mr. *Coll Rochfort*, called, and sworn; Examined by Mr. *James*.

1802. YOU are an attorney at Galway?—Yes. *Mr. C. Rochfort.*

1803. Were you acting as solicitor or attorney for Mr. Anthony O'Flaherty in the election?—I was.

1804. Are you aware of a sum of 50*l.* being given to Mr. Oliver for the purpose of the election?—I am.

Mr. *C. Rochfort.*

13 July 1857.

1805. Are you aware of Mr. Oliver having paid for the use of the room?—Yes; the man to whom it was paid told me so.

1806. What has been done with the balance?—He gave it to me.

1807. What did you do with it?—A portion of it, about 22 *l.* or 23 *l.*, I paid towards the payment of the assessor's fee.

1808. Out of the balance returned; that would leave a balance of 13 *l.*; do you remember what was done with it?—About 3 *l.* of it, I think, I gave back to Mr. O'Flaherty, to pay an account of mine with; a private account that I had with Mr. Oliver.

1809. Were there street agents?—Yes; other clerks; tally clerks I had.

1810. Some small disbursements to tally clerks?—Yes.

1811. Mr. O'Flaherty accounted to you, and you disposed of it in that way; is that correct?—Yes.

Cross-examined by Mr. *Wordsworth.*

1812. You have been an attorney at Galway for some years?—Yes.

1813. Is Mr. O'Flaherty, your client, in private matters?—Not generally; in some private matters he is.

1814. Had you been acting for him as an election professional man prior to March 1857?—I did.

1815. At former elections?—Yes.

1816. And on this last occasion you were retained by him?—Yes.

1817. What was your retaining fee?—The fee that I got on all occasions.

1818. What was the retaining fee in March; the amount of it?—Mr. O'Flaherty made no particular retainer of me on the last occasion any more than on the former ones.

1819. Did he not make any bargain with you?—No.

1820. Were you to have any particular sum?—I am entitled to 100 *l.* Irish; about 92 *l.*

1821. My question was whether you made any bargain with Mr. O'Flaherty?—No, I did not; I made no bargain whatever with Mr. O'Flaherty.

1822. You expected 100 *l.*, or guineas, did you not?—That is my fee.

1823. Have you got it?—

Mr. *James* objected that the matters as to which the learned counsel for the petitioners was cross-examining the witness had nothing to do with the election.

Mr. *Wordsworth* stated that he would show that his examination was pertinent to matters important for the consideration of the Committee.

1824. Mr. *Wordsworth.*] I ask you whether, since the election, you have been paid any part of the 100 guineas by Mr. O'Flaherty?—No.

1825. Have you returned an account of that fee to the election auditor?—I have.

1826. Although you have not been paid it?—Yes.

1827. That is part of the 263 *l.* which is returned as the gross amount of the election expenses of Mr. O'Flaherty?—Yes.

1828. I observe that my friend put a question to you in a very cautious manner; Were you aware of 50 *l.* being paid to Oliver; "aware" of it?—I was.

1829. Did you see it paid?—No.

1830. What do you mean, that you were aware of it?—Because both Mr. O'Flaherty and Mr. Oliver told me so.

1831. Mr. Rochfort, you are a professional man?—Yes.

1832. Except by being told by Mr. O'Flaherty and Mr. Oliver, you did not know the fact of the payment of the 50 *l.*?—I was not present at the payment; but I say that Mr. Oliver accounted to me for the 50 *l.*, which he said he had received from Mr. O'Flaherty.

1833. When was it that Mr. Oliver accounted to you?—Well, I cannot say exactly when he accounted for the latter portion of it.

1834. Any portion of it?—Oh, 15 *l.* of it did not come to my hands at all; he paid the rent of the tally-room.

1835. You are a professional man, Mr. Rochfort; do you tell the Committee that Mr. Oliver accounted to you for the 50 *l.*?—Yes.

1836. Is that true or not?—Yes.

1837. Did

1837. Did he account by writing or word of mouth?—He showed me Mr. Kilnahan's, receipt for the 15 *l.* for the tally-rooms, and gave me a cheque for 35 *l.*

1838. Was the time the same when he showed you Kilnahan's receipt, and when he gave you over the 35 *l.*, was it at the same time?—I cannot tell you whether it was exactly the same moment; it was in and about the same time, the same time as the transaction.

1839. Was it upon the same day?—Yes, I believe it was.

1840. Have you any doubt about it?—My memory is not very accurate upon it, that was the close of the transaction; he showed me a paper, and said it was Mr. Kilnahan's receipt; I did not open the paper, nor did I look at it.

1841. Did you keep any diary?—No, not of those matters.

1842. Did you keep any diary of the general business done as a professional man?—Of the general costs in business I do.

1843. Legal business?—Yes.

1844. Have you any entry in any book of having seen Mr. Oliver, any entry of when he showed you the receipt of Kilnahan, and gave you the 35 *l.*?—I have not.

1845. Be good enough to tell the Committee when was it he gave you this 35 *l.*?—I cannot tell you exactly.

1846. In what month was it?—I cannot say.

1847. Was it this morning?—Not at all.

1848. Have you seen Oliver this morning?—I have.

1849. Now tell the Committee in what month it was?—I cannot exactly say.

1850. Was it since March?—I do not know; I cannot exactly say; Mr. Oliver and I have private dealings; he is a client of mine, and we have many transactions, and many meetings, and much business has been transacted between me and Mr. Oliver, since the election.

1851. Just tell me; there are April, May and June, three months and a half?—I cannot tell you exactly; I have told you before that I cannot tell you the exact month.

1852. Can you tell me how long it was after the election?—It was not for some time after the election.

1853. And he gave you the sum of 35 *l.*, less 3 *l.* that you owed him?—No, I gave him 3 *l.*; when he gave me a cheque I sent the cheque to the bank by my servant, and I asked my servant to pay 3 *l.* to Mr. Oliver.

1854. Three pounds out of the 35 *l.*?—Out of the 35 *l.*, and bring me back the balance.

1855. What is the name of the bank?—The National Bank.

1856. Of Galway?—Of Galway.

1857. Cannot you tell me the day of the month?—No, I cannot; I could have told you before if I had known it.

1858. Was it some weeks after the election?—Yes, some weeks.

1859. Was it as much as two months after the election?—I should think it was over a month.

1860. Was it not two months?—I will not swear that.

1861. Was it not after the presentation of the petition which we are now considering?—I believe it was.

1862. This is the month of July, Mr. Rochfort, I ask you whether, on your oath, it was not in the present month of July?—I do not think it was.

1863. Will you swear it was not?—No.

1864. Will you swear that it was not on the 15th of July?—I will not; I do not think it was the 15th of July.

1865. Will you swear that it was not?—I will not.

1866. Will you swear that it was not after the 15th of June?—After the 15th of June.

1867. Yes?—No, I will not swear that.

1868. Will you swear that it was not after the 15th of June?—I cannot tell you exactly.

1869. Now, sir, who was present when this money was paid to you?—I do not know who was present when the cheque was given to me.

1870. Who was present?—I do not know that there was any one.

1871. Where was it given to you?—In my office in Galway.

1872. And in the presence of no one but yourself and Mr. Oliver?—Not that I am

Mr. *C. Rochfort.*

13 July 1857.

I am aware of; I think it was given to me in my private office in Galway, no one being by but myself and Mr. Oliver.

1873. Do you undertake to swear that?—I do.

1874. No one but yourself and Mr. Oliver?—There might be some one inside the door that was waiting for other business when Oliver came in, but I will not undertake to say whether there was or was not; my belief, and my firm belief is, that there was not any person.

1875. He gave you a cheque for 35 *l.*—Yes.

1876. Was it his own cheque?—It was.

1877. Oliver's own cheque?—Yes.

1878. On the National Bank?—Yes.

1879. And you said that you sent your servant to the Bank to get it cashed?—Yes.

1880. Do you keep any banking account?—No.

Re-examined by Mr. *James.*

1881. Your retaining fee has not been paid?—No, sir.

1882. But your charge is 100 *l.*?—Yes.

1883. And it was known, was it not, that this petition was going on?—Yes.

1884. Have you had any communication with Mr. Bernard O'Flaherty about this matter?—Not very lately.

Examined by the *Committee.*

1885. When did you receive the telegraphic message summoning you to-day?—When did I receive it.

1886. Yes?—On Saturday last.

1887. Where were you then?—In Galway, in my office.

1888. Did the telegraph message state anything more than merely that you were to come at once?—Come at once, to be examined by the Committee to day.

1889. That was all?—That was all.

1890. Did you bring any papers to-day?—Yes, I brought some books that were used for the purpose of carrying on the election; the street agents books.

1891. Did you bring your banker's book?—No, I have already said I have no banker's account.

1892. Not in the National Bank?—No.

1893. When you paid the cheque, where did you pay it to?—To the National Bank.

1894. You do not bank there yourself?—No.

1895. What is the duty of the street-agents?—To bring the voters up from their places of residence to the tally-rooms; have them placed on tallies, and take them back to the booths.

1896. Do you know who selected them?—The street agents.

1897. Yes?—I selected the greater part of them myself.

1898. Did Mr. Oliver hand over to you the list of those whom he proposed as the street agents?—Mr. Oliver.

1899. Yes?—No.

1900. Was Mr. Oliver's account simply a verbal one?—It was; Mr. Oliver's account was simply this; he came to me with a paper, which he said was Mr. Kilranhan's receipt for 15 *l.* for the tally-room, which I had taken, and he gave me a cheque for the balance of the 50 *l.*

1901. *Committee.*] He gave you a cheque on the National Bank of Ireland?—Yes.

1902. Where he banks himself?—Yes.

1903. Did you yourself engage the street agents?—I did; no street agent would be engaged without it.

1904. Who selected the room for which 15 *l.* was paid?—It was I.

1905. Did Mr. Oliver convey to you any message on that subject?—I will tell you how it was: I went to look for a room, and I took Mr. Oliver with me to see if the room would answer; after I had gone to the room to see if it would answer, I thought it would do very well, and I went up to Mr. Kilranhan, the proprietor, to take it, and he asked 15 *l.* for it, and I thought it was rather too much,

much, and that I would get a room to suit for about 10 *l.*, or for less money; I went to look for another room, but found I could not get one; I sent back Mr. Oliver to tell Kilranhan to keep the room for me, and that I would engage it; that is the way in which it was.

1906. Did you understand Mr. Oliver to be acting agent to the election?—No; he was no agent; he was a person interested for Mr. O'Flaherty, as a good many of the electors of Galway were.

1907. Was he instructed to select the room?—Oh, certainly not; it was I who selected the room; I made the selection, and took the room from Mr. Kilranhan, and I sent back Mr. Oliver to Mr. Kilranhan to tell Mr. Kilranhan that the offer he had made was accepted, and that I would keep the room.

1908. Was Oliver entrusted to nominate the street agents?—No, no one but myself.

1909. Do you mean that Mr. Oliver did not nominate street agents?—Not to my knowledge; certainly not, nor could he nominate them; nor did he mention to me that he did.

1910. You said that you were aware that the 50 *l.* had been paid to Oliver; did you understand for what purpose it was paid?—I demanded money from Mr. O'Flaherty; I told him I had taken a house for the tally clerks to sit in; for at that time I thought we would prepare by tallies; that were determined to poll by tallies; and I complained to Mr. O'Flaherty, the agent of Colonel French, to have tallies fixed on; at the time I was under that impression. I took tally-rooms, and I applied to Mr. O'Flaherty for money to pay for those rooms; and he told me that he had put 50 *l.* into the hands of Oliver, and to draw upon that.

1911. *Committee.*] He told you that he had put 50 *l.* into Oliver's hands, and you were to draw upon that:—Yes.

[The Witness then withdrew.

Mr. *James* was then heard to sum up the evidence on behalf of Anthony O'Flaherty, Esq., the Sitting Member.

GALWAY TOWN ELECTION

MINUTES OF EVIDENC

TAKEN BEFORE THE

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ON THE

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WITH THE

PROCEEDINGS OF THE COMMITTEE.

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187—Sess. 2.

Under

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I N D E X.

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2. James Connor.
3. Benjamin Matthews.
4. Thomas and William M'Loughlin.
5. Timothy Newell.
6. Michael Codyre.
7. David Corcoran and other Voters of Carrabrowne.

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III. *Resolutions of the Committee.*

I. *Particular Instances of Bribery:*

1. Edward Hynes:

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BRIBERY—continued.

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1. Edward Hynes—*continued.*

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6. Michael Codyre:

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Statement

Report, 1857—*continued.*

BRIBERY—continued.

I. *Particular Instances of Bribery*—continued.

7. David Corcoran and other Voters of Carrabrowne—*continued.*

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II. *Statement of Sitting Member:*

Witness has not the slightest recollection of the matter stated by the witness Hynes about the car hire, *O'Flaherty* 1499-1501——Witness was particularly cautious not to sanction or promise any illegal expenditure, *ib.* 1501——Witness had no cognizance whatever of money being given to voters on the authority of Dr. Browne and Mr. Oliver; he disclaims all connexion with any such proceedings, *ib.* 1509-1521. 1526. 1770-1775.

III. *Resolutions of the Committee:*

Resolution that Anthony O'Flaherty was by his agents guilty of bribery, *Rep. p.* v ——That it was proved that Edward Hynes, Thomas M'Loughlin, William M'Loughlin, James Connor, Benjamin Matthews, Timothy Newell, and Michael Codyre, were bribed by Dr. James Valentine Browne and John Oliver, *ib.*——That David Corcoran, Malachi Moloney, John Duggan, Michael Murphy, Michael Codyre, and Patrick Glynn, were attempted to be bribed by Miles Ward, *ib.*——That it was not proved that these acts of bribery were committed with the knowledge or consent of the said Anthony O'Flaherty, *ib.*——That the evidence given before the Committee appears to establish the fact, that systematic bribery of certain classes of the electors has prevailed at the last and former election, *Rep. p.* vi.

See also *Butchers.* *Daly, ——.* *Election of* 1852. *Undue Influence.* *Ward, Miles.*

Browne, James Valentine. Witness saw Dr. Valentine Browne in the tally-room of Mr. O'Flaherty two or three times during the election, *Kinihan* 51-62. 94-99——Dr. Browne was present at the meeting on the 29th March, *M'Govera* 133, 134.

Neither directly nor indirectly did witness give any money to Dr. Browne in connexion with the election, *O'Flaherty* 1465. 1467-1469——Dr. Browne was an active supporter of witness, but the conduct of the election was not deputed to him in any way, *ib.* 1492-1498——Examination relative generally to Dr. Browne, and the extent and character of witness's communications with him in regard to the election; circumstance of his having been recently in London, *ib.* 1533-1586. 1620-1640. 1770-1775. 1778-1780.

See also *Bribery.* *Expenses of Election.*

Butchers. Witness is a butcher at Galway, *Waldron* 933, 934——Voted for Lord Dunkellin and Colonel French, *ib.* 935, 936——Lives close to Thomas Madden and Miles Ward, and is well acquainted with them, *ib.* 937-941——Statement as to Miles Ward having offered witness 4 *l.* each for twenty-three butchers or victuallers, if they would vote for Mr. O'Flaherty; this took place in the hearing of Thomas Madden, *ib.* 941-954. 959-968. 985-998. 1286-1293——In reply to Ward's offer of the 4 *l.* for each voter, witness said he should vote on the same side as the rest of the trade, *ib.* 967, 968. 1047-1060. 1082-1090. 1289-1292——The night before the election Ward came to witness's house, and told him he was a good mark for 5 *l.*, but witness again said he would vote whichever way the other butchers voted, *ib.* 969-973.

Witness is a freeman; there are forty-eight butchers, all freemen, *Waldron* 987-990——There are twenty-three butchers, more or less, connected by family with witness, *ib.* 991-998——Examination as to the practice generally of the butchers in regard to their votes, *ib.* 1015, *et seq.*——Evidence to the effect that in voting with the rest of the trade for Colonel French, witness was not promised any money; has not received any, and does not expect any; nor does he know of any payment to other butchers, *ib.* 1053-1065. 1071, *et seq.* 1263-1268. 1294——Witness voted for Colonel French because he knew that the trade generally did so, *ib.* 1080-1132.

Examination as to a meeting between witness and Mr. Gill some time before the election; witness never told Mr. Gill that for 4 *l.* he would vote for Mr. O'Flaherty, *Waldron* 1134-1183. 1247-1254——A contested election is not a good thing for witness; he would rather give 50 *l.* than have an election, *ib.* 1210-1214. 1260.

See also *Blake, Mr.* *Election of* 1852.

C.

Canvass of Electors. Witness frequently saw Mr. O'Flaherty canvassing with those who attended the meeting on the 29th March, *M'Govera,* 152-154——Several persons seen by witness canvassing for Mr. O'Flaherty, *Madden* 915-921.

Report, 1857—*continued.*

Carrabrowne Voters. See *Bribery*, I. 7. III. *Treating.*

Codyre, Michael. (Analysis of his Evidence.)—Ropemaker at Galway, 531-533——On the morning of the polling was at Miles Ward's house with some other voters, and got a card there to take to the poll, 534-541——Voted for Mr. O'Flaherty and Lord Dunkellin, 542-544—— Left the card in the court-house, but subsequently went back for it and took it to Mr. John Oliver's, but was told to take it to Dr. Browne, who sealed it, 545-552. 562-567——Afterwards took the card to John Oliver's, where he gave it up and got two 1 *l.* notes from some one whom he did not see, 553-561.

Committee of Mr. O'Flaherty. Several persons seen by witness at Mr. O'Flaherty's tally-room or committee-room, on Sunday the 29th March, *Kinihan* 63-73. 94-103; *M'Govera* 130-132——Proceedings at the tally-room on the 29th March; Mr. O'Flaherty was present, and addressed the meeting, and the names of the committee were called over, *Kinihan* 72-74. 87-93. 110-113——Different persons seen by witness going in and out of the committee-room, *Madden* 907-914.

There was not, to witness's knowledge, any actual committee formed in his behalf, *O'Flaherty* 1487-1491. 1715-1761. 1796, 1797——At the meeting on the Sunday before the nomination witness left the room before any list of names for a committee were called over, *ib.* 1715-1722——There were a great many people at the meeting, but witness does not recollect whether certain of his more prominent supporters were among the number, *ib.* 1717. 1723-1735——Reference to a meeting about a week before the election; doubt as to any list of committee men having been called over during witness's presence on this occasion, *ib.* 1738-1764.

See also *Tally-room.*

Connor, James. (Analysis of his Evidence.)—Baker at Galway, 389, 390——Was canvassed before the election by Mr. O'Flaherty, 391-397——On the morning of the polling day was asked by Mr. John Oliver and his clerk Usher to go at once and plump for Mr. O'Flaherty, Usher saying he should be well paid for it, 398-404——Polled for Mr. O'Flaherty, having previously got a ticket, 405-412——Subsequently went to an office where Dr. Browne was, who sealed the ticket, and told him to take it to Mr. Oliver's, 413-421—— Particulars as to his having put the ticket through a hole in the partition by the bakehouse at Oliver's, and having received at the same time 2 *l.* through the hole, 422-433.

Corcoran, David. (Analysis of his Evidence.)—Farmer at Carrabrowne, near Galway; is a freeholder, 568-572——Voted for Lord Dunkellin and Mr. O'Flaherty, 573-575—— On Sunday the 22d March, Mr. Anthony O'Flaherty, Mr. Bernard O'Flaherty and several others canvassed witness, but he declined to promise his vote, 576-590——Particulars as to Mr. Bernard O'Flaherty having given witness 1 *l.* for the "boys" or neighbours with witness to drink; witness gave half of it to the sons of Duggan, a voter, and spent the other half in drink with some voters on the 25th March, 591-609. 633-659.

Before witness had polled he was canvassed for Mr. O'Flaherty by Miles Ward, 610-614——Several voters who accompanied witness from Carrabrowne to Galway on the polling day, 615-623——Particulars as to witness and some of these voters having been promised compensation if they polled for Mr. O'Flaherty, which compensation witness for one has not received; half notes for 3 *l.* were given by Mr. Ward to three of the voters, but they were objected to, 624-632.

Costs. The Committee refuse an application by counsel for the petitioners, that the opposition to the petition might be reported to have been frivolous and vexatious, *Rep. p.* vi.

D.

Daly,——. Explanation relative to a conversation some days before the election, between witness and a voter of the name of Daly, relative to an unsettled claim due to Daly's father since the election of 1847; witness is not sure that Daly and his father voted for him, but at all events he has not paid the claim, *O'Flaherty* 1686-1714. 1781-1783.

Davis, James. (Analysis of his Evidence.)—General trader in Shop-street, Galway; has been in business since 1830; 1374-1383——Voted for Mr. O'Flaherty at the election of 1847, and at the late election, 1384-1390——At the election of 1847, supplied Mr. O'Flaherty's committee with stationery to the amount of from 3 *l.* to 5 *l.*, and by the year 1856, Mr. O'Flaherty was supplied with other things, which increased his debt to witness to 14 *l.* odd; it had often been applied for without success, 1391-1402—— Some time in 1856, about 6 *l.* was paid off the debt, 1403-1406.

Statement as to witness having bought 10 *l.* worth of furniture at an auction at Knockbearn, Mr. O'Flaherty's place, and as to the same having eventually been paid for by a cheque for 2 *l.*, and by setting against the remainder the balance of 8 *l.*, remaining unpaid from Mr. O'Flaherty to witness, 1407-1441——Statement to the effect that

witness,

Report, 1857—*continued.*

Davis, James. (Analysis of his Evidence.)—*continued.*

witness, unsolicited, gave his support to Mr. O'Flaherty, and was not induced to do so by the balance of 8 *l.* being set off against the furniture; letter from witness to Mr. O'Flaherty enclosing the 2 *l.* cheque, adverted to hereon, 1430-1458.

Duggan, John. See *Bribery*, I. 7. III.

E.

Election of 1847. In 1847 witness's election cost him about 1,500 *l.*, though he was assured it should cost him nothing, *O'Flaherty* 1768, 1769.

Election of 1852. At the election of 1852, witness got 3 *l.* from Mr. Greeney for voting for Mr. Blake; he also had 3 *l.* for the county election as agent for Sir Thomas Burke, and 3 *l.* besides for his vote for the county, *Waldron* 1026–1031. 1133. 1269–1285—— Belief that the forty-eight butchers of Galway had 3 *l.* each in 1852, *ib.* 1032–1046—— In 1852 witness voted for Mr. O'Flaherty and Mr. Martin Joseph Blake; support given by the latter to Colonel French at the late election adverted to hereon, *Madden* 1303–1318 ——Inexpensive character of witness's election in 1852, *O'Flaherty* 1765–1767.

Expenses of Election. The counsel for the Sitting Member states that the full amount of the expenses of Mr. O'Flaherty was 263 *l.* odd, *Ev. p.* 3.

Remark made by Mr. O'Flaherty at the meeting of his supporters on the 29th March, in the hearing of Dr. Browne and others, that he had placed sufficient money in the hands of Dr. Browne and Mr. Bernard O'Flaherty for all purposes whatsoever connected with the election, *M'Govera* 135–147——Further statement relative to the meeting at the tally-room on the Sunday, and to the speech of Mr. O'Flaherty on that occasion, *ib.* 186–205.

Explanation of a speech by witness at a meeting of his supporters on the Sunday before the election, when he said he was prepared with money to pay all the proper and necessary expenses, *O'Flaherty* 1464. 1487. 1488. 1776, 1777——Witness did not say he had placed money in the hands of Dr. Browne or Mr. Bernard O'Flaherty, *ib.* 1465, 1466. 1736, 1737.

Explanation as to witness having on the nomination day placed 350 *l.* in the hands of Mr. Bernard O'Flaherty for election expenses; there were no small notes given, *O'Flaherty* 1470–1473. 1641–1658. 1737——Explanation as to witness having given Mr. John Oliver a 50 *l.* note for the hire of a tally-room, and for street agents, *ib.* 1474–1481. 1527. 1671–1673. 1788–1795——Witness did not give any money except the 350 *l.* to Mr. Bernard O'Flaherty, and the 50 *l.* to John Oliver, and is not cognisant of any expenditure whatsoever beyond that amount, *ib.* 1484, 1485——Witness has had no account from Mr. Bernard O'Flaherty, Mr. Oliver, or Mr. Rochfort, in regard to the detailed expenditure, *ib.* 1658. 1674–1676. 1798–1801.

Witness was aware of the payment of 50 *l.* to Mr. Oliver for election purposes, *Rochfort* 1804, 1805. 1828–1832. 1910, 1911——Statement as to Mr. Oliver having accounted to witness for the 50 *l.*; that is, by showing a receipt for 15 *l.* for the tally-room, and by giving a cheque for 35 *l.*; witness cannot recollect when this cheque was given, but it probably was after the presentation of the petition, and was given to him in his own office, *ib.* 1805, 1806. 1832–1880. 1891–1894. 1900–1902——Way in which witness disposed of the balance of 35 *l.* out of the 50 *l. ib.* 1807–1811——Witness has not yet been paid his fee of 100 *l.*, although it is returned in the account made to the election auditor, *ib.* 1823–1827. 1881–1883——Witness was told by Mr. O'Flaherty of the payment of 50 *l.* to Oliver, and was directed to draw upon it, *ib.* 1910, 1911.

See also *Bribery. Tally-room.*

F.

Freemen. Corrupt character of the freemen of Galway, *O'Flaherty* 1522——Witness had by no means a majority of freemen, *ib.* 1523–1525.——*See* also *Bribery. Butchers*

French, Christopher O'Connell. (Analysis of his Evidence.)—Produces from the Hanaper Office in Ireland the poll-books for the election, 4, 5——Position of witness in the Hanaper Office adverted to in connexion with the custody of the poll-books prior to their production before the Committee, 4–25.

G.

Glynn, Patrick. (Analysis of his Evidence.)—Voter of Galway, living at Carrabrowne, 660, 661——Names of voters who went with witness to Galway on the polling day, 662–667——On arriving in Galway, they went to Kerrigan's public-house, 668-672——Particulars

Glynn, Patrick. (Analysis of his Evidence.)—*continued.*

ticulars as to Miles Ward having offered 3*l.* to each of the voters (including witness) if they voted for Mr. O'Flaherty; he gave half-notes to three voters, and promised the other halves after the poll; but Timothy Glynn, one of the party, objected to this arrangement, and the half-notes were returned, 673-699.

Glynn, Timothy. (Analysis of his Evidence.)—Farmer on part of the Carrabrowne estate, 700-702——Is a voter, but did not poll at the late election, 703-709——On Sunday before the polling Mr. O'Flaherty and some others canvassed witness at Carrabrowne, and he promised to vote for him, 710-724——After promising Mr. O'Flaherty, witness had some conversation with David Corcoran, 725-729——On the same Sunday witness saw Mr. O'Flaherty in Galway, and asked him to treat witness and some others who were with him in the same way as he had treated Corcoran at Carrabrowne; Mr. Bernard O'Flaherty and Mr. Miles Ward were present, 730-768.

Statement as to Miles Ward having offered witness in Galway three half-notes of 1*l.* each if he would vote for Mr. O'Flaherty; witness refused, and some other voters also refused to take half-notes, 769-785——After witness had asked Mr. O'Flaherty to be treated, and Mr. O'Flaherty had assented, Miles Ward gave witness an order for 5*s.* worth of drink, which order he took to Ward's public-house, where he got the drink, 786-797——There were several persons present at Ward's when witness got the drink there, 798-801.

Further statement relative to what passed at Carrabrowne between Mr. O'Flaherty and witness, 802-810. 855-859. 878. 883, 884——Examination as to the subsequent meeting with Mr. O'Flaherty in Galway, and as to witness having asked to be treated as Corcoran was treated, 811-867. 878-896——Further reference to the order for 5*s.* worth of drink, and to the number of persons present when witness and a few more went to Ward's with the order, 868-877.

H.

Hynes, Edward. (Analysis of his Evidence.)—Has a dwelling about ten miles from Galway, but at the time of the election was living where, as builder, he had some work nineteen miles from Galway, 229-232. 330-332——Is a freeman of Galway, and voted for Lord Dunkellin and Mr. O'Flaherty, 233-236——On his way to Galway to vote, had some conversation with John Connor, 237-243——After arriving in Galway, was asked for one vote by Mr. John Gill, who held out his hand, and said, "I will give you that for half your vote;" there was no actual offer of money, 244-256——Witness also had some conversation in Galway with Mr. John Oliver, 257-260.

Circumstance of witness having asked Mr. Mansell in the first instance, and Mr. O'Flaherty subsequently, for his car-hire before voting; after leaving Mr. O'Flaherty, Mansell said he would pay it, 261-281——Particulars as to the card subsequently got by witness at Mr. O'Flaherty's tally-room, after which he voted, 282-292. 353-366——Statement as to witness having taken the card, after it had been marked by Mr. Rochfort and sealed by Dr. Browne, to the house of John Oliver, where he got 2*l.* for his car-hire from some one who gave it to him through a broken window, and whom he did not see anything of, 293-327.

Witness was not bribed for his vote; he would have refused 100*l.* had it been offered to him, 328, 329——Witness states that he paid 1*l.* 14*s.* for the car into Galway, and 4*s.* 6*d.* for another car part of the way back, 332-344. 367-388——After the election witness claimed money for car-hire home, but did not get anything more, 343-352.

K.

Killery, Saint John. (Analysis of his Evidence.)—Was election auditor for Galway, 26——Produces the appointment of Mr. Redington as agent for Mr. O'Flaherty, 27, 28——Reference to an entry in the accounts of the Sitting Member of 15*l.* as rent of tally-room, 29-32.

Kinihan, Bartholomew. (Analysis of his Evidence.)—Grocer at Galway, 33, 34——Statement as to Mr. John Oliver having, on the Saturday before the election, hired for 15*l.* an empty house belonging to witness as a committee-room or tally-room for Mr. O'Flaherty, 35-49. 104-109——Witness was on Mr. O'Flaherty's committee, 50——He saw Dr. Valentine Browne in the tally-room two or three times during the election, 51-62. 94-99 —— Several other persons seen by witness in the tally-room on Sunday the 29th March, 63-73. 94-103.

Proceedings at the tally-room on Sunday; Mr. O'Flaherty was present, and addressed the meeting, and the names of the committee were called over, 72-74. 87-93. 110-113 ——Miles Ward, one of those at the tally-room, lives near to the place where the voters polled,

Report, 1857—*continued.*

Kinihan, Bartholomew. (Analysis of his Evidence.)—*continued.*

polled, 75-80——Neighbourhood of witness's empty house to the polling booth, 81-83——Explanation as to witness having let the rooms to Mr. Oliver, rather than to Mr. Rochfort, who first inquired about them, 114-128.

M.

M'Govera, Thomas. (Analysis of his Evidence.)—Clerk in the employment of Mr. Martin O'Flaherty, solicitor, 129. 159, 160——Several persons seen by witness at Mr. O'Flaherty's tally-room on Sunday the 29th March, 130-132——Dr. James Valentine Browne was present at this meeting, 133, 134——Remark made by Mr. Anthony O'Flaherty at this meeting, in the hearing of Dr. Browne and others, that he had placed sufficient money in the hands of Dr. Browne and Mr. Bernard O'Flaherty for all purposes whatsoever connected with the election, 135-147.

Witness was an agent for Colonel French on the polling day, 148. 150——There were five polling booths, 149——Nearly all the voters polled by tallies, 151——Witness frequently saw Mr. O'Flaherty canvassing with those who attended the meeting on the 29th March, 152-154——Mr. O'Flaherty was constantly in the tally-room before the election, 155-158——Circumstance of Mr. Martin O'Flaherty, who is the Sitting Member's attorney, having supported Colonel French, 161-169.

Period at which and circumstances under which witness was engaged as agent for Colonel French; it was a few hours subsequently to his attendance at the meeting on the 29th March, 170-185. 222-228——Further statement relative to the meeting at the tally-rooms on the Sunday, and to the speech of Mr. O'Flaherty on that occasion, 186-205——Part taken by witness as agent for the petition; doubt whether Mr. Martin O'Flaherty, his employer, knows anything about it, 206-221.

M'Loughlin, Thomas and William. See *Bribery*, I. 4; III.

Madden, Thomas. (Analysis of his Evidence.)—Lives in Abbeygate-street, Galway, close to the post-office, 897-902——The house opposite the post-office was used as a committee-room for Mr. O'Flaherty, and was covered with placards, 903-906——Different persons seen by witness going in and out of this committee-room, 907-914——Several persons seen by witness canvassing for Mr. O'Flaherty, 915-921——On the day before the election witness heard a certain conversation between Miles Ward and Edward Waldron, 922-932.

[Second Examination.]—Particulars of the conversation, before alluded to, between Ward and Waldron; the former said, "If you doubt me, come down to Oliver's, and I will give you Dr. Browne's and Oliver's security," 1295-1300. 1319-1344. 1370-1373——Ward did not see witness whilst he was listening to the conversation, but Waldron did see him, 1296. 1319-1325——Witness voted for Colonel French, 1302——In 1852, witness voted for Mr. O'Flaherty and Mr. Martin Joseph Blake; support given by the latter to Colonel French at the late election adverted to hereon, 1303-1318——At the time of the conversation between Ward and Waldron witness had not promised his vote to any one, 1319. 1323-1325. 1345-1367.

Matthews, Benjamin. (Analysis of his Evidence.)—Baker at Galway, 434, 435——Voted for Mr. O'Flaherty and Lord Dunkellin, 436, 437——Was told by John Oliver, before the election, that he was on his list, and would be compensated if he voted for Mr. O'Flaherty, 438-443. 475-482. 485, 486——After voting, went with a card to Dr. Browne's, who sealed the card and told him to take it to Mr. Oliver's, 444-454——Dr. Browne entered Oliver's house at the same time as witness, 454-457——Two brothers of the name of M'Loughlin were at Oliver's house, and got something through a hole in part of the hall, 458-365. 483, 484——Witness also having put his card through the hole got two 1*l.* notes from some one on the other side whom he could not see, 466-474.

Moloney, Malachi. See *Bribery*, I. 7; III.

N.

Newell, Timothy. (Analysis of his Evidence.)—Chandler at Galway; is a freeman, 487-489——On the polling day witness went to the house of Miles Ward, and brought a card from there before voting, 490-502——Witness voted for Mr. O'Flaherty and Lord Dunkellin, 499, 500——After voting he went to a committee-room, where Dr. Browne put a seal upon the card, 501-512——He afterwards went to John Oliver's house, and put the card through a hole in a partition wall and got two 1*l.* notes from some one whom he could not see, 513-530.

Report, 1857—*continued.*

O.

O'Flaherty, Anthony. (Analysis of his Evidence.)—Was returned for Galway, unopposed, at the general election of 1847, and in 1852 was returned at the head of the poll, 1459–1463——Explanation of a speech by witness at a meeting of his supporters on the Sunday before the election, when he said he was prepared with money to pay all the proper and necessary expenses, 1464. 1487, 1488. 1776, 1777——Witness did not say he had placed money in the hands of Dr. Browne or Mr. Bernard O'Flaherty, 1465, 1466. 1736, 1737——Neither directly nor indirectly did witness give any money to Dr. Browne in connexion with the election, 1465. 1467–1469.

Explanation as to witness having on the nomination day placed 350*l.* in the hands of Mr. Bernard O'Flaherty for election expenses; there were no small notes given, 1470–1473. 1641–1658. 1737——Explanation as to witness having given Mr. John Oliver a 50*l.* note for the hire of a tally-room and for street agents, 1474–1481. 1527. 1671–1673. 1788–1795——Mr. Coll Rochfort was witness's conducting legal agent, 1482, 1483——Witness did not give any money except the 350*l.* to Mr. Bernard O'Flaherty and the 50*l.* to John Oliver, and is not cognizant of any expenditure whatsoever beyond that amount, 1484, 1485.

There was not, to witness's knowledge, any actual committee formed in his behalf, 1487–1491. 1715–1761. 1796, 1797——Dr. Browne was an active supporter of witness, but the conduct of the election was not deputed to him in any way, 1492–1498——Witness has not the slightest recollection of the matter stated by the witness Hynes about the car-hire, 1499–1501——Witness was particularly cautious not to sanction or promise any illegal expenditure, 1501.

Explanation as to witness's canvass at Carrabrowne; Mr. Bernard O'Flaherty probably did give 1*l.* to some men for drink on this occasion, 1502–1508——Witness had no cognizance whatever of money being given to voters on the authority of Dr. Browne and Mr. Oliver; he disclaims all connexion with any such proceedings, 1509–1521. 1526. 1770–1775——Corrupt character of the freemen of Galway, 1522——Witness had by no means a majority of the freemen, 1523–1525——Neither Oliver, Miles Ward, Martin Tierney, or Matthew Usher, were in any way deputed by witness as agents, 1527–1532.

Examination relative generally to Dr. Browne, and the extent and character of witness's communications with him in regard to the election; circumstance of his having been recently in London, 1533–1586. 1620–1640. 1770–1775. 1778–1780——Examination in regard to the persons acting for witness at the tally-room near the court-house, and the room near the post-office, 1587–1619——Witness has had no account from Mr. Bernard O'Flaherty, Mr. Oliver, or Mr. Rochfort, in regard to the detailed expenditure, 1658. 1674–1676. 1798–1801——Mr. Bernard O'Flaherty is in Ireland; witness has not had any very recent communication with him, 1659–1662.

Witness went to Oliver's house in his canvass; Oliver has always firmly supported him, 1663–1666——About a year before the election witness got a situation for a son-in-law of Oliver, 1667–1670——Circumstances under which witness got a situation, before the election, for a brother-in-law of Matthew Usher, 1677–1685——Explanation relative to a conversation some days before the election between witness and a voter of the name of Daly relative to an unsettled claim due to Daly's father since the election of 1847; witness is not sure that Daly and his father voted for him, but at all events he has not paid the claim, 1686–1714. 1781–1783.

At the meeting on the Sunday before the nomination witness left the room before any list of names for a committee were called over, 1715–1722——There were a great many people at the meeting, but witness does not recollect whether certain of his more prominent supporters were among the number, 1717. 1723–1735——Reference to a meeting about a week before the election; doubt as to any list of committee-men having been called over during witness's presence on this occasion, 1738–1764.

Inexpensive character of witness's election in 1852; 1765–1767——Belief that the present petition is due to witness's defeat of Mr. Blake in 1852; 1766——In 1847 witness's election cost him about 1,500*l.*, though he was assured it should cost him nothing, 1768, 1769——During the polling at the late election there was no regular publication of the state of the poll at different hours, 1784–1787.

O'Flaherty, Anthony. Resolution of the Committee that Mr. O'Flaherty is not duly elected, *Rep. p.* v.

O'Flaherty, Bernard. Mr. Bernard O'Flaherty is in Ireland; witness has not had any very recent communication with him, *O'Flaherty* 1659–1662.

See also *Expenses of Election. Treating.*

O'Flaherty, Martin. Circumstance of Mr. Martin O'Flaherty, who is the Sitting Member's attorney, having supported Colonel French, *M'Govera* 161–169.

See also *Petition.*

Oliver,

Report, 1857—*continued.*

Oliver, John. Witness was told by John Oliver before the election, that he was on his list, and would be compensated if he voted for Mr. O'Flaherty, *Matthews* 438–443. 475–482. 485, 486.

Witness went to Oliver's house in his canvass; Oliver has always firmly supported him, *O'Flaherty* 1663–1666——About a year before the election witness got a situation for a son-in-law of Oliver, *ib.* 1667–1670——Mr. Oliver was not an agent at all, *Rochfort* 1906.

See also *Bribery. Expenses of Election. Tally-room.*

P.

Petition. Objections raised by counsel for Sitting Member to the form of the petition, *Ev. p.* 1.

The Committee decide that the general irregularity and informality of the petition was not sufficient to prevent the case from going on, *Ev. p.* 1.

Part taken by witness as agent for the petition; doubt whether Mr. Martin O'Flaherty, his employer, knows anything about it, *M'Govera* 206–221.

Belief that the petition is due to witness's defeat of Mr. Blake in 1852, *O'Flaherty* 1766.

See also *Costs.*

Poll-books. Witness produces from the Hanaper Office in Ireland the poll-books for the election, *French* 4, 5——Position of witness in the Hanaper Office, adverted to in connexion with the custody of the poll-books prior to their production before the Committee, *ib.* 4–25.

Polling Booths. There were five polling booths at the election, *M'Govera* 149.

R.

Redington, Mr. Witness produces the appointment of Mr. Redington as agent for the election expenses of Mr. O'Flaherty, *Killery* 27, 28.

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTIO PETITION.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
17 *July* 1857.

187—I.—Sess. 2.

Under 2 oz

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

LAMBETH BOROUGH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND INDEX.

(1857.)

Ordered, by The House of Commons, *to be Printed,*
21 *August* 1857.

Mercurii, 8° *die Julii*, 1857.

NAMES of the Members appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Lambeth:

Charles Robert Colvile, Esq.	Viscount Sandon.
Alexander Matheson, Esq. (Inverness.)	Major Wortley (Honiton).

Chairman, ROBERT INGHAM, Esq.

Jovis, 9° *die Julii*, 1857.

Ordered, That the said Petition of Patteson Nickalls and R. H. Bristowe be referred to the Committee.

Ordered, That the said Committee do meet in one of the committee-rooms of the House, at Eleven o'clock To-morrow.

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REPORT.

LAMBETH BOROUGH ELECTION COMMITTEE.

Mercurii, 15° *die Julii*, 1857.

THE HOUSE informed that the Committee had determined,—

That William Roupell, Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Lambeth.

The House further informed,—

That the Petition of Patteson Nickalls and Robert Henry Bristowe is frivolous and vexatious.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 10° *die Julii*, 1857.

MEMBERS' names called over; all present.

Room cleared.

The Committee deliberated, and agreed to the following preliminary Resolutions:—

1. "That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. "That if costs be demanded by either party, under the Act 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case.

3. "That the Committee expect, with respect to cases of bribery or offers or promises of money or other valuable consideration, which it is intended to bring home to the Sitting Members or their Agents, the Counsel for the Petitioners will now state the names of the electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. "The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any Counsel or Agent, the knowledge of which has been brought out in the process of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. "That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. "That with respect to undue influence, the Committee will require to be furnished with a list of persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. "The Committee, however, reserving to themselves a discretionary power, as in the case of bribery.

8. "That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the Agents, whose names shall be handed in, without the special leave of the Committee.

9. "Inasmuch as the law applicable to the evidence necessary to establish a charge of treating differs from that applicable to bribery, the Committee are of opinion that the part of the petition which relates to treating shall be proceeded with previous to any evidence being adduced with regard to bribery; they therefore request that Counsel will confine themselves, in the first instance, to the charge of treating."

Parties called and informed of the Resolutions of the Committee.

Petition of *Patteson Nickalls* and *Robert Henry Bristowe*, electors for the Borough, complaining of an undue election and return for the Borough of Lambeth at the last election read.

Counsel for the Petitioners, Mr. *Edwin James*, Q.C., Mr. Serjeant *Ballantine*, Mr. *Tyndal Atkinson*, and Mr. *W. H. Cooke*.

Agents, Messrs. *Harrison*, Mr. *J. M. Crosse*, and Mr. *G. A. Cope*, jun.

Counsel for the Sitting Member, Mr. *Slade*, Q.C., Mr. *Phinn*, Q.C., and Mr. *J. J. Johnson*.

Agents, Mr. *Wyatt*, Mr. *Barton*.

Mr. *Slade* applied to add Mr. *Murphy*'s name as agent for the Sitting Member. Mr. *James* objected to the application.

Application agreed to.

The short-hand writer was sworn by the Chairman.

Mr. *Edwin James* was heard to open the case for the Petitioners.

J. R. Naylor sworn, examined; produced writ and return, and put in 76 poll-books.

Henry Onslow, sworn, examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Johnson*; re-examined by Mr. Serjeant *Ballantine*.

Frederick Jenkins Abbott, sworn, examined by Serjeant *Ballantine*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Ballantine*.

Mr. *Ballantine* was heard to make an application that the agents of the Sitting Member should deliver a more full, true, and particular account of all payments made at the late election, as required to be delivered under section 25, c. 102, 17 & 18 Vict., to the election auditor.

Mr. *Phinn* said that his clients would afford the petitioners every information in their favour.

Mr. *Ballantine* applied for an adjournment to give him time to make use of the information promised him.

Mr. *Phinn* heard against the application.

Application refused.

Richard Carroll Barton, sworn; examined by Mr. Serjeant *Ballantine*.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 11° *die Julii*, 1857.

MEMBERS' names called over; all present.

Mr. *James* informed the Committee that *Joseph Tredre* had been served with a Speaker's warrant to attend the Committee yesterday, but had not appeared.

James Ellis, sworn, examined by Mr. *James*.

Thomas Hart, sworn, examined by Mr. *James*.

Charles Cathie, sworn, examined by Mr. *James*.

James Ellis further examined.

Resolved, That the Chairman report to The House that Joseph Tredre had been duly served by the Speaker's warrant, had disobeyed such warrant, and had not appeared before the Committee.

Resolved, That the Chairman be directed to issue his warrant for the committal of Joseph Tredre to the custody of the Serjeant-at-Arms, or his deputy or deputies.

Edward Proom, sworn, examined by Mr. *James*.

On the question being put, "What is your belief?"

Mr. *Slade* objected to the question.

The witness was ordered to withdraw.

Mr. *James* was heard to contend that he had a right to put the question.

The Committee decided that the question should not be put.

Witness called in, and further examined by Mr. *James*; cross-examined by Mr. *Slade*; re-examined by Mr. Serjeant *Ballantine*.

George Seaman, sworn, examined by Mr. *Ballantine*.

Mr. *Phinn* objected to this witness being examined, on the ground of his having been resent in the committee-room during the proceedings of the Committee.

Mr. Serjeant *Ballantine* was heard in answer to the objection.

Resolved, That George Seaman, having been in the committee-room during the Proceedings of the Committee, could not be examined as a witness.

John Tanswell, sworn, examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Ballantine.*

William Marrs, sworn, examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Slade*; re-examined by Serjeant *Ballantine.*

Joseph Burgess, sworn, examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Phinn.*

John Richard Major, sworn, examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Slade.*

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 13° *die Julii,* 1857.

MEMBERS' names called over; all present.

Frederick Randall Dickie, sworn, examined by Mr. *Cooke*; cross-examined by Mr. *Johnson*; re-examined by Mr. *Cooke.*

Thomas Morris, sworn, examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Johnson*; re-examined by Mr. *Ballantine.*

William Buckland, sworn, examined by Mr. *James*; cross-examined by Mr. *Slade*; re-examined by Mr. *James.*

Charles Peate, sworn, examined by Mr. Serjeant *Ballantine.*

Joseph Manning, sworn, examined by Mr. *Edwin James*; cross-examined by Mr. *Slade.*

John Truman, sworn, examined by Mr. *Edwin James.*

[Adjourned to To-morrow, at Eleven o'clock.

Martis, 14° *die Julii,* 1857.

MEMBERS' names called over; all present.

John Truman, sworn, further examined by Mr. *James*; cross-examined by Mr. *Phinn*; re-examined by Mr. *James*; further examined by the Committee.

Richard Carroll Barton, sworn, examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Johnson*; re-examined by Mr. Serjeant *Ballantine.*

John Bailey, sworn, examined by Mr. Serjeant *Ballantine.*

On the question, Were you paid as Chairman? Mr. *Slade* was heard to object to the question as a leading question.

The witness ordered to withdraw.

Mr. *Ballantine* contended that he had a right to put a leading question, inasmuch as the witness, though called by him, was a hostile witness.

Resolved, That the question should not be put.

John Bailey, called in, and further examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Slade*; re-examined by Mr. Serjeant *Ballantine.*

Mr. Serjeant *Ballantine* stated that this was the case for the petitioners.

William Roupell, the Sitting Member, sworn, examined by Mr. *Slade*; cross-examined by Mr. *Edwin James*; re-examined by Mr. *Phinn*; examined by the Committee.

Alfred Hogan, sworn; not examined.

[Adjourned to To-morrow, at Eleven o'clock.

Mercurii, 15° *die Julii*, 1857.

MEMBERS' names called over; all present.

Room cleared. Committee deliberated.

Parties called in.

Joseph Tredre brought up in the custody of the Serjeant-at-Arms; sworn, examined by Mr. *Edwin James*; cross-examined by Mr. *Slade*; re-examined by Mr. *E. James*; further examined by the Committee; re-committed to the custody of the Serjeant-at-Arms.

John Rhodes, sworn, examined by Mr. *Edwin James*; cross-examined by Mr. *Slade*; examined by the Committee.

Samuel Massey Cross, sworn, examined by Mr. *Edwin James*; cross-examined by Mr. *Slade*; examined by the Committee.

Mr. *Slade* was heard to sum up the case for the Sitting Member.

Mr. Serjeant *Ballantine* was heard in reply upon the whole case.

Room cleared. The Committee deliberated and came to the following Resolutions:

1. "That William Roupell, Esq., is duly elected a Burgess to serve in the present Parliament for the Borough of Lambeth."

2. "That the Petition of Patteson Nickalls and Robert Henry Bristowe was frivolous and vexatious."

Ordered, To report these Resolutions to The House.

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MINUTES OF EVIDENCE.

Veneris, 10° *die Julii*, 1857.

ROBERT INGHAM, Esq., in the Chair.

10 July 1857.

Counsel for the Petitioners, Mr. *Edwin James*, Mr. Serjeant *Ballantine*, and Mr. *Atkinson*.

Agents for the Petitioners, Messrs. *Harrison*, Mr. *Cross*, and Mr. *Cape*.

Counsel for the Sitting Member, Mr. *Slade*, Mr. *Phinn*, and Mr. *Johnson*.

Agents for the Sitting Member, Mr. *Wyatt*, Mr. *Barton*, and Mr. *Murphy*.

The Petition of *Patteson Nicholls* and *Robert Bristowe*, electors of the borough of Lambeth, was read.

Mr. *Edwin James* was heard to open the case on behalf of the Petitioners.

Mr. *James Richard Naylor*, sworn; Examined by Mr. Serjeant *Ballantine*.

Mr. *J. R. Naylor*.

1. DO you produce the writ for Lambeth, and the poll-books, and the return?—Yes.

2. I believe these are extracts which we obtained at the Crown Office (*handing papers*)?—Yes, I believe these have been obtained at the Crown Office, but as to their accuracy I cannot say. You have the originals here.

[The Witness was directed to withdraw.

Mr. *Henry Onslow*, sworn; Examined by Mr. Serjeant *Ballantine*.

Mr. *H. Onslow*.

3. YOU are the Returning Officer for the borough of Lambeth?—Yes.

4. Do you produce the register of voters for Lambeth?—Yes.

5. Do you produce the appointment of Frederick Jenkins Abbott as election auditor for that borough?—Yes, the appointment and declaration.

6. Do you produce a list of the deputy returning officers for Lambeth?—Yes.

7. And also a list of the poll-clerks?—Yes.

8. How many district polling-booths were there?—Nine.

9. How many compartments in each booth?—They varied; it was according to the district.

10. Have you got a list of them?—Yes, I have.

11. Will you furnish it?—Yes.

The *Chairman* inquired whether it should not be proved that the petitioners were entitled to vote at the election, or had voted.

Mr. Serjeant *Ballantine* replied in the affirmative.

12. Do you find Patteson Nicholls on the register?—Yes.

13. Do you find Robert Henry Bristowe on the register?—Robert Bristowe it stands on the register.

Mr. *H. Onslow.*

10 July 1857.

14. Just read their addresses?—"Robert Bristowe, 28, Grove-road; qualification, house."

15. Find Patteson Nicholls' address?—"Nicholls, Patteson; house, Trafalgar-road."

Mr. *Johnson* stated that the names were found, but they did not tally in spelling.

Mr. Serjeant *Ballantine* stated that they tallied in the addresses.

Mr. *Johnson* observed, as far as strict evidence went, the Committee had "Robert Bristowe," instead of "Robert Henry Bristowe," but he should take no objection on that ground.

16. Mr. Serjeant *Ballantine.*] I want you to describe to me the position of the different district polling-booths?—What description do you require?

17. I want the locality of each, and the number of compartments in each?—I can give you the number of compartments, but I must give you them from memory. The first polling-booth for Lambeth was Camberwell-green, which takes in the district of Camberwell, and there were seven compartments there.

18. Before we go from that, can you give me the names of the poll-clerks at that booth?—I can.

19. Who were they?—Edward Colson, John Elias Smith, John Galton, James Norris, T. H. Sutton, T. Watkins, and C. Rowbottom.

20. Now, the name of the deputy returning officer?—At Camberwell-green it was Lilley.

21. Now, the next?—The next is Watey's-field, Peckham. The poll-clerks there were, Mr. Hersee, F. James, C. Cooke, T. F. Dilley, and Thomas Powney. There were five compartments in that, and the deputy returning officer was P. B. Ownslow. In Lambeth parish, the first would be Mill-street. The deputy returning officer was J. W. Oakley. The poll-clerks were J. Oakley, D. Moloney, J. Hopper, J. H. Morris, and A. Wastie. There were five compartments. Then we come to Coach-fields, in Lambeth parish. The deputy returning officer there was Mr. J. Blomfield. The poll-clerks were Charles Cotterill, W. H. Sagster, William F. Wye, George Stevens, J. Cartledge, J. Arrowsmith, H. Jeffrey, and George Castle. There were eight compartments. Then we come to Church-row, Kennington, still in Lambeth parish. The deputy returning officer was Mr. W. H. Anderson. The poll-clerks were William Williams, William Feltus, Thomas Mason, Joseph Hughes, A. Warren, John Coggin, Edward Anderson, W. H. Royer, W. T. Rastall, P. Alexander, F. Funnigan, George Green, W. Lilley, John Humphreys, W. Wincup, and George Holcomb. There were 16 compartments. That is for the out-liberty of the borough. Then we come to York-road, Lambeth parish. The deputy returning officer was H. T. Toovey Hawley. The poll-clerks were Mr. H. Ellis, H. S. Ellis, H. Wichelove, Robert Hollams, George Oakley, E. Oakley, James Howe, Thomas Hall, W. Warren, G. George, —— Chalk; I do not know his Christian name. There were 11 compartments. Then West-street, in the parish of Newington. Mr. J. Ferguson was the deputy returning officer. The poll-clerks were W. Gabb, Thomas Cook, T. A. Cooke, Thomas Woodward, G. Haslegrove, Thomas Crichton, William St. John Turner, Joseph Turner, Joseph Turner, junior, Thomas Turner, Richard Shears. There were 11 compartments. York-street, Walworth; the deputy returning officer was Mr. John Keane, junior. The poll-clerks were John Marsland, Thomas Reeves, Abraham Colman, H. G. Bailey, W. Billing, James Knight, David Scott; there were seven compartments. Trinity-square, Newington; the deputy returning officer was W.A. Rowbottom; the poll-clerks were Henry Rowbottom, John Fitzgerald, John Stewart, H. Cotterill, George Chapman, James Bartington; there were six compartments. There were 76 compartments in the whole.

22. In the appointment of poll-clerks and returning officers, do you consider it necessary to ascertain whether they are members of a committee or partisans of either side?—I should not employ a poll-clerk or a deputy returning officer if I knew he had been so.

23. Or one of the canvassers for either party?—Certainly not.

24. Were you in the habit of inquiring of the parties whether they were so or not?—Generally so; but the persons I employed were generally known to myself as not being so.

25. Do you know, amongst others, who seems to have been the deputy returning officer at one of the most important places, Mr. Anderson?—Yes.

26. Did

26. Did you know he was one of the most active agents of Mr. Roupell?—Certainly not; I did not know that he was an agent.

Cross-examined by Mr. *Johnson.*

27. How long have you been returning officer for the borough of Lambeth?—Since 1851.

28. There has only been one election prior to that where you acted officially?—I have acted as deputy; in 1852 I acted as returning officer.

29. These appointments all rest with yourself?—Yes.

30. Both the deputy returning officers and the poll-clerks?—Yes.

31. And you exercise the best judgment you have in selecting the most respectable persons for that office?—My object has been to employ generally those persons who had been employed at previous elections; in a large borough it is necessary to do so.

32. What is the number of registered electors?—20,276.

33. Can you tell me at all the area of the extent of the borough itself?—I believe it is about 10 miles.

34. Mr. Serjeant *Ballantine.*] What do you mean by 10 miles in extent?—I think Mr. Charles Pearson, at the time of his election, had a map made.

35. Mr. *Johnson.*] What is it, as nearly as you can judge?—From 9 to 10 miles.

36. The *Committee.*] Do you mean 10 miles from any one point to another point?—No, taking a circle.

37. Mr. *Johnson.*] I am told it is 30 miles. You have been present, and presided at other elections as deputy, or in your own person?—As deputy in 1850, and returning officer in 1852.

38. There is always an excitement about elections; was the whole election, as far as you were a party to it, conducted with the most perfect propriety?—To my knowledge, most decidedly.

39. Although you had deputies during the election itself, and more especially on the polling day, were you constantly present yourself?—I did not preside at any one booth; I went from booth to booth during the day.

40. At all the different polling-booths were you aware whether the matter was conducted with propriety and credit?—To my knowledge, I should say, most certainly so; and, for this reason, I had no complaints made from time to time as I visited the booths.

41. I do not think we have had the state of the poll yet; perhaps you may as well get that on the notes at once; at the close it was announced on the day by you officially?—The official announcement was, Roupell, 9,318; Mr. William Williams, 7,648; Mr. Wilkinson, 3,234.

42. I believe you furnished us with the document which I hold in my hand, showing the different amounts of votes at each of the polling places?—Yes.

43. The aggregate being the figures you have just given?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

44. As far as you observed, when you say the election was conducted with perfect propriety, I presume you mean with relation to disturbance?—Yes, exactly so.

45. You knew nothing whatever of the means by which the voters were obtained or brought up?—I had no means of knowing.

46. Did you happen to be at Church-row, Kennington, polling-station, at any time between two and four during the election?—Yes, I was there between two and four.

47. What time were you there?—I can hardly say; from three to half-past three, perhaps.

48. You are very vague about it?—I cannot say exactly; I went round from place to place, and on those occasions you can hardly judge of the exact time.

49. You say you were there between two and four?—Yes.

50. Was there no disturbance?—None whatever; there was a great crowd, as there always is in an election for a large borough.

 51. But

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51. But no disturbance?—Not at all.
52. That is one of sixteen compartments?—Yes.
53. Where Mr. Anderson presided?—Yes.

[The Witness was directed to withdraw.

Mr. *Frederick Jenkins Abbott*, sworn; Examined by Mr. Serjeant *Ballantine.*

Mr. *F. J. Abbott.*

54. YOU are the Election Auditor for the borough of Lambeth?—I am.
55. And you have with you your appointment?—No, Mr. Onslow has it.
56. And you were so at the last election?—Yes.
57. Do you produce the appointment, by Mr. Roupell, of Richard Carroll Barton as his agent for the election expenses?—Yes. (*The same was handed in.*)
58. Was there any other person except Mr. Barton?—No.
59. Have you the appointment of the agents by the other gentlemen, Mr. Wilkinson and Mr. Williams?—Yes; that is Mr. Williams's, and that is Mr. Wilkinson's. (*The same were handed in.*)
60. Do you produce the election expenses of Mr. Wilkinson down to the day of nomination?—Yes.
61. Give me the amount of election expenses returned by Mr. Wilkinson, purporting to be up to the day of nomination?—£. 532. 16*s.* 10*d.*
62. Now, Mr. Williams's, up to the day of nomination (*the Witness had mislaid the paper*); probably I may take it, subject to being formally proved hereafter, at 713*l.* 18*s.* 5*d.*?—That is about the sum.

Mr. *Johnson.*] We will take that subject to correction.

63. Mr. Serjeant *Ballantine.*] Now just refer to Mr. Roupell's?—£. 2,610. 17*s.*
64. Is that a copy you furnished yourself?—No, I did not.
65. Do you find an item under the head of March the 20th, "By cash paid for canvassers, clerks, messengers, hire of committee-rooms, stationery, and cab hire, at the following committee-rooms"?—Yes; I did furnish that copy.
66. Are there items applicable to cabs in the course of those accounts separately?—I see cab hire, but I have not made an account of this.
67. Do you find "Swan Tavern, 20*l.*," under the head of March 20th?—Yes.
68. Are you able to give me any of the details of that 20*l.* from the accounts that have been furnished to you?—No.
69. No details of that item have been furnished to you?—No.
70. Have any names been furnished to you with regard to that account?—Not at present; I have asked for them.
71. Whom did you ask?—Mr. Murphy is the gentleman; I think so, but I am not quite certain.
72. Mr. Murphy is the clerk of Mr. Barton, is he not?—I believe he is.
73. And has been a person whom you have generally seen acting for Mr. Roupell?—Generally.
74. When did you ask him for some details of that 20*l.*?—I have not asked for that particularly; I have asked for the details of all those accounts for publication, and also for my own account, to file with the returning officer.
75. With relation to the amount of this account, have you been able to obtain any further particulars than those you have got?—No; I have not pressed them for it.
76. I am speaking only of the expenses up to the day of nomination?—Yes.
77. Do you find the amount of 18*l.* 10*s.* under the heading of Queen's Arms?—Yes.
78. You have neither items nor names to supply to that?—Yes.
79. *Committee.*] Your answer was understood to apply to all those entries; you have not any details?—Not any details.
80. Mr. Serjeant *Ballantine.*] I will go through the names, and supply the Committee with a list. Now, the Prince Regent, 15*l.*; am I right about that?—Yes.
81. The Tankard Tavern, 3*l.* 10*s.*?—Yes.
82. St. Paul's Tavern, 15*l.* 2*s.*?—Yes.
83. The Surrey Canal Tavern, 5*l.* 7*s.* 6*d.*?—Yes.
84. The Pilgrim Tavern, 7*l.* 2*s.*?—Yes.

85. The

85. The Waggon and Horses, which I suppose is a public-house, 6 *l.* 13 *s.* 6 *d.*?—Yes.

86. The Beehive, 5 *l.* 7 *s.* 6 *d.*?—Yes.

87. The William the Fourth, 17 *l.* 17 *s.*?—Yes.

88. The George, 8 *l.* 15 *s.*?—Yes.

89. The Freemasons' Arms, 1 *l.* 15 *s.*?—Yes.

90. The Black Horse, 5 *l.* 17 *s.* 6 *d.*?—Yes.

91. The Clayton Arms, 3 *l.* 16 *s.*?—Yes.

92. The Kentish Drovers, 11 *l.* 5 *s.* 6 *d.*?—Yes.

93. The Duke of Suffolk, 15 *l.*?—Yes.

94. The Crown and Anchor, 5 *l.*?—Yes.

95. The Falcon, 2 *l.*?—Yes.

96. The Prince of Wales, 4 *l.* 9 *s.*?—Yes.

97. The Royal Veteran, 15 *s.*?—Yes.

98. Just look under the date of March 21st; you find the same heading "By cash paid by canvassing, clerks, messengers, hire of rooms and cabs at the following committee-rooms," do you not?—Yes.

99. May I take it in relation to all the items contained under that heading, you have no more particulars than you have with relation to the items to which we have already referred?—No, I have not.

100. The Carpenters' Arms, 15 *s.*?—Yes.

101. The Clayton Arms, 6 *l.* 18 *s.*?—Yes.

102. The Black Prince, 2 *l.* 2 *s.*?—Yes.

103. The Tiger, 6 *l.* 0 *s.* 9 *d.*?—Yes.

104. The Hero of Waterloo?—Yes.

105. The Salutation, 6 *l.* 19 *s.* 10 *d.*?—Yes.

106. The Roebuck, 9 *l.* 13 *s.* 6 *d.*?—Yes.

107. The Canterbury Arms, 8 *l.* 12 *s.* 6 *d.*?—Yes.

108. The Russell Hotel, 2 *l.* 15 *s.*?—Yes.

109. The County Terrace, 3 *l.* 5 *s.*?—Yes.

110. The Rosemary Branch, 5 *l.* 17 *s.*?—Yes.

111. The Kentish Drovers, 1 *l.* 10 *s.*?—Yes.

112. The Lark Hall, 5 *l.* 4 *s.* 6 *d.*?—Yes.

113. The Shard Arms, 2 *l.* 15 *s.*?—Yes.

114. The Elephant and Castle, 5 *l.*?—Yes.

115. Do you find an item under the head of March 24th, expenses at the following committee-rooms; the Black Horse, 4 *l.*?—Yes.

116. Now, there is an item to which I will call your attention, the Swan committee, 5 *l.* 15 *s.* 6 *d.*?—Yes.

117. Have any details been given to you as to the meaning of 5 *l.* 15 *s.* 6 *d.* to the Swan committee?—No.

118. Now we will go to March the 27th; by cash paid at the following rooms for the hire of rooms, clerks, canvassers, cab hire, stationery, and may I take it that the same observation applies to this as to the other, that you have had no particulars?—It applies to the whole account; I have had no particulars.

119. I would rather ask each day; now I find the Salutation Tavern, 15 *l.* 18 *s.*?—Yes.

120. The Prince of Wales, 29 *l.* 9 *s.* 8 *d.*?—Yes.

121. The Greyhound, 23 *l.* 19 *s.*?—Yes.

122. The John Bull, 10 *l.* 2 *s.* 4 *d.*?—Yes.

123. The George, 24 *l.* 8 *s.*?—Yes.

124. The Surrey Canal Tavern again, 20 *l.* 12 *s.*?—Yes.

125. The Jolly Sailors, 12 *l.* 10 *s.*?—Yes.

126. The Black Horse, 18 *l.*?—Yes.

127. The Hero of Waterloo, 34 *l.* 1 *s.* 6 *d.*?—Yes.

128. The Royal Veteran, 13 *l.* 11 *s.*?—Yes.

129. The Falcon, 8 *l.* 12 *s.*?—Yes.

130. The Freemasons' Arms, 16 *l.*?—Yes.

131. The William the Fourth, 33 *l.* 3 *s.*?—Yes.

132. The Waggon and Horses, 23 *l.* 16 *s.*?—Yes.

133. The County Terrace, 12 *l.* 3 *s.* 6 *d.*?—Yes.

134. The Hercules, 40 *l.* 19 *s.*?—Yes.

135. The Pilgrim, 21 *l.* 12 *s.*?—Yes.

136. The St Paul's, 33 *l.* 12 *s.* 6 *d.*?—Yes.

 137. The

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137. The Rosemary Branch, 28 *l.* 1 *s.* 10 *d.*?—Yes.
138. The Roebuck, 48 *l.*?—Yes.
139. The Queen's Head, 42 *l.*?—Yes.
140. The Union Flag, 21 *l.* 5 *s.* 7 *d.*?—Yes.
141. The Kentish Drovers, 28 *l.* 10 *s.*?—Yes.
142. The Shard Arms, 21 *l.* 17 *s.* 6 *d.*?—Yes.
143. The Tankard, 28 *l.* 8 *s.* 6 *d.*?—Yes.
144. The Elephant and Castle, 35 *l.* 16 *s.*?—Yes.
145. The Canterbury Arms, 20 *l.* 12 *s.*?—Yes.
146. The Clayton Arms, 21 *l.* 16 *s.* 3 *d.*?—Yes.
147. The Prince Regent, 19 *l.* 8 *s.*?—Yes.
148. The Crown and Anchor, 16 *l.* 5 *s.*?—Yes.
149. The Tiger, 16 *l.* 3 *s.* 6 *d.*?—Yes.
150. The Duke of York, 11 *l.* 5 *s.* 6 *d.*?—Yes.
151. The Peacock, 4 *l.* 4 *s.*?—Yes.
152. The Duke of Suffolk, 35 *l.* 15 *s.* 6 *d.*?—Yes.
153. The White Bear, 13 *l.* 18 *s.*?—Yes.
154. The Beehive, 36 *l.* 4 *s.* 6 *d.*?—Yes.
155. The Carpenters' Arms, 16 *l.* 4 *s.*?—Yes.
156. The Mitre, 4 *l.* 7 *s.* 6 *d.*?—Yes.
157. The Queen's Arms, 11 *l.* 17 *s.* 6 *d.*?—Yes.

158. Mr. Serjeant *Ballantine.*] There are two items in the list I wish to call your attention to; there is Mr. Truman, under the head of the 13th March, cab hire, 1 *l.* 5 *s.*, and Mr. Murphy, 15 *s.*?—Yes.

159. The 14th, do you find Mr. Hogan 1 *l.* 5 *s.* 6 *d.*, Mr. Truman, 1 *l.* 5 *s.*, and Mr. Murphy, 1 *l.* 1 *s.* 6 *d.*?—Yes.

160. The 16th, Mr. Truman, 1 *l.* 5 *s.*, and Messrs. Hogan and Murphy together, 16 *s.*?—Yes.

161. The 17th, Mr. Truman, 1 *l.* 5 *s.*, Mr. Hogan, 1 *l.* and Mr. Murphy, 2 *l.* 13 *s.*?—Yes.

162. Now, I just want to call your attention to this, under the head of the 20th, "Mr. Turner, forming committees, 2 *l.* 5 *s.* 6 *d.*"?—Yes.

163. After the election you ought to be furnished with the complete accounts, I believe, within three months?—Yes.

Mr. *Phinn* objected to the course of examination, on the ground that there was no allegation in the petition relating to the matter.

Mr. Serjeant *Ballantine* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that the examination might proceed.

164. Mr. Serjeant *Ballantine.* (To the *Witness*).] Have you received the accounts of Messrs. Wilkinson and Williams?—I have.

165. Give me the amount of Mr. Wilkinson's account?—I have not got them here.

166. Have you got the return of Mr. Roupell's?—No, I have not; I have only the bills I paid myself.

167. What do they amount to?—By referring to my own private memorandum book I can tell you; 834 *l.* 13 *s.* 2 *d.* Those were actually paid by myself.

168. Those were small sums?—No large sums; the rest were paid by my authority.

169. Have you had no other accounts supplied to you by Mr. Roupell or by Mr. Barton?—What am I to understand by accounts; bills?

170. Yes.—I gave an authority to pay some bills, and they have brought the vouchers for those bills, and we have been through them; they are correct as to the amounts furnished.

171. They form an item of the 800 *l.*?—No.

172. Have you got the accounts or not?—They have all been furnished.

173. Have you got them?—No, I have them not in my possession; they have been given up for the purpose of the defence here.

174. Ought not these accounts to have been kept by you?—I suppose I may give them up for the purpose of aiding the defence; I do not so understand the Act that I am obliged to keep them.

175. You

175. You have received those accounts and vouchers as a public officer?—Yes.

176. When did you receive them?—I received them at different times from the day of the declaration.

177. When did you give them back?—Some of them I have not received at all; many bills.

178. When did you give back those which you have received?—I have some which I have paid myself; the others I gave back; I gave authority to pay them.

179. I understand you have received vouchers and accounts which you have given back to the parties from whom you received them?—The same day that they came; they came and brought the vouchers. I took them and authorised them to pay, and then they took back the vouchers.

180. Am I to understand that you have received all the accounts of the election on the part of Mr. Roupell?—I believe so.

181. You can give me what they have amounted to?—No, I have not made out the account; I am not bound to make out the account in any particular time; I have not done it.

182. *Committee.*] You are bound to keep all the accounts that you receive, and to permit either of the candidates or their agents to take copies of them, or any part of them, on their request?—I have not kept the accounts; I have allowed the parties to have them themselves.

183. You have allowed one party to have them; you are bound to keep them in your own hand, and to allow the candidates or their agents to inspect them and to take copies of them?—I have let Mr. Wilkinson do the same.

184. By letting them go out of your hand, you have precluded the other parties from taking copies?—(*No answer.*)

185. Mr. Serjeant *Ballantine.*] I believe you are a lawyer?—I read the Act in a different way; I don't know that I am bound to give the accounts to them.

186. You read the Act that you are to give them back?—It does not say that each candidate is to be allowed to have the accounts of the other; it does not say, "bills, claims, and charges;" it says, "accounts."

187. You have no means of telling us what the amount was, that you, as election auditor, passed?—I have not passed any account yet.

188. Then you have no means of telling us the amount to which your attention was called?—They have got my authority to the sums for which they had authority to pay in my name.

189. *Committee.*] Have those bills been paid?—They have been paid by my authority.

190. All the bills you spoke of latterly, which you gave to the parties?—Yes.

191. Mr. Serjeant *Ballantine.*] We applied to you to see the accounts, or copies of them, and you declined letting us see them?—I declined giving you a copy; I don't know what the word "accounts" means.

192. You did decline to do so?—Yes.

193. But you gave the vouchers up to the other side?—Yes, except the vouchers that are here; they have had them too. I have found Mr. Williams's account now.

Cross-examined by Mr. *Phinn.*

194. There was no concealment about this matter on the part of Mr. Roupell?—Not the slightest.

195. Nor any wish to withhold the fullest information from the public?—Certainly not.

196. I believe that all the vouchers were produced for everything?—For everything I gave authority to pay.

197. I believe they were with you from day to day during the progress of the election, and in constant communication with you?—Constantly.

198. Have you got a summary of the whole account, amounting to between 4,000 *l.* and 5,000 *l.*?—Yes, I have; but I have not got it here.

199. I will hand back to you a paper in your own handwriting, and if my friend likes to have it, he may have it; look at that paper; was that a paper brought to you (*handing a paper to the Witness*)?—Yes, that is in my handwriting.

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200. Do you remember when that paper which is now in your hand was given to you?—No, I do not recollect the date of it.

201. Do you recollect when it was handed back; was it for the purpose of this petition?—Yes.

202. You have seen that paper before?—Yes; there is my signature to it.

203. Mr. Serjeant *Ballantine.*] Let me have it?—Yes. (*It was handed to the learned Counsel.*)

204. Mr. *Phinn.*] Have you a total summary of the whole expenses?—I have not here.

205. Just look at that; could you, if necessary, give the information from that, if my friend likes to ask you?—I have not gone through the accounts, and therefore I can give little information about them.

206. The summary you have can we produce to the Committee if my friend wants it?—Yes, I can send for it.

Re-examined by Mr. Serjeant *Ballantine.*

207. This is an account of the sums of money expended by the authority of the election auditor?—Yes.

208. There are some sums expended without your authority, I presume?—Some by myself.

209. And by Mr. Roupell?—Before the nomination.

210. None after?—None.

211. Can you tell me the amount you authorised the expenditure of?—I do not recollect.

212. Is it 4,000 *l.* or 5,000 *l.*?—No.

213. How much?—About 1,900 *l.*

214. What were Mr. Wilkinson's?—

Mr. *Phinn* objected to the question.

215. Mr. Serjeant *Ballantine.*] I find this in your handwriting, "I shall not get through Mr. —— under five days, and Mr. Roupell's are more than twice the amount"?—That is before the nomination also, as well as the amounts afterwards. They would be 5,000 *l.* and odd, altogether.

216. The *Committee.*] You were an election auditor at a previous election?—No, this was the first time.

[The Witness was directed to withdraw.

Mr. *Richard Carroll Barton,* sworn; Examined by Mr. Serjeant *Ballantine.*

Mr. *R. C. Barton.*

217. WERE you the Agent for Mr. Roupell at the last election?—I was.

218. Agent for the expenses?—I was.

219. Were you acting in other respects as his agent?—In no other respect in this election.

220. Did you canvass for him, and do matters of that kind?—I did not interfere much for his election; I was anxious for his return, and did all I could for him.

221. Did you canvass for him?—I went with him occasionally to solicit votes.

222. And I believe you canvassed yourself in his absence?—I did not canvass much myself; I had no time; I was mostly in the central committee-room.

223. You were employed from the very commencement?—From the commencement of Mr. Roupell becoming a candidate.

224. Do you produce the cash-book and the banker's pass-book?—I have every book.

225. Showing the expenses of the election?—I have.

226. The account, up to the day of nomination, returned by you, is 2,610 *l.*?—Yes.

227. Were the bills sent in to you from different public-houses; did you see them?—It was suggested, at the onset of the election, that there should be a tabular sheet for every house.

228. Have you the tabular sheet of the Swan Tavern?—I have.

229. Can you give me the name of any canvassers that were hired under that?—I have a tabular list in my hand, which shows that, on the 18th of March, John Anderson was appointed clerk.

230. What do you mean by clerk?—Clerk of this district committee-room.

231. Was

231. Was he a voter?—Not to my knowledge.

232. I suppose he was a canvasser?—He was the clerk of that room; his duty was to attend the committee-room.

233. What did you pay him?—Ten shillings a day; to be there the whole day and report to the central committee-room the result of the daily canvass.

234. Ten shillings a day?—Yes.

235. Is there any other canvasser included, or clerk?—I find also one messenger.

236. How much is that?—Five shillings a day.

237. Who is that?—Charles Gillham; he was employed two days.

238. Was he a voter?—Not to my knowledge.

239. He is the son of one?—I do not know the fact.

240. Who else?—Robert Reynall Harris; he was a canvasser, and according to this he was employed one day.

241. At how much?—Seven shillings and sixpence a day.

242. Was he a voter?—Not to my knowledge.

243. Are there any other canvassers, clerks, or messengers down there?—There are three other canvassers.

244. At how much a day?—Seven shillings and sixpence each.

245. Give me their names?—Francis Legge, Joel Evans, and Frederick Wardle, each 7*s.* 6*d.* a day.

246. Who were the committee at the Swan?—I observe Mr. Davis Sims, a stockbroker, was the chairman.

247. Was there anybody else on the committee?—He was the chairman of the committee.

248. Who are the committee; just let me look at that document?—That is not a perfect list.

249. Can you tell me whether there were two persons of the names of Edward Haines and Henry White?—I do not recollect the names; but there was a very respectable committee at this house.

250. Have you any list of them?—No, but I will supply you with the list of them; I was not aware I should be examined on that.

251. I want to know whether you have any means of telling me whether Edward Haines and Henry White were there?—I have not at this moment.

252. Was any of this committee paid?—I believe not.

253. You have your accounts?—I have the pay sheet here, and I believe there was no paid committee-men on this committee.

254. Can you tell me positively; you say you do not recollect whether Haines or White were there?—I have not the list of the committee, and therefore I cannot speak positively to the fact.

255. Have you got a list of the committee anywhere?—Yes; the canvassers were paid, but not the committee.

256. You do not find any item whatever applicable to the payment of the committee?—I do not; I could not say positively without referring to the committee list, whether one might be on the committee, a paid canvasser; I am not clear on that; but I should like permission to look at the list, and then I could speak positively.

257. *Committee.*] You say you are not quite sure there might not be some paid canvasser on the committee; but was any committee-man paid who was not a canvasser?—Not at this house.

258. Mr. Serjeant *Ballantine.*] Do you mean to state that positively, or do you mean that you do not recollect it, because I have mentioned two names to you?—If I had the list, I could tell in a moment.

259. Then you do not pledge your oath there was not?—I do not; with the materials I have before me, I do not.

260. How do you make up the 20 *l.* then?—I think the 20 *l.* was paid on account; paid to the chairman, Mr. Sims.

261. What do you mean by "paid on account?"—On account of the expenses of the committee-room.

262. I thought you were mentioning part of the items of that 20 *l.*; was that 20 *l.* independent of the paid canvassers and paid committee-men?—No, the 20 *l.* was handed to Mr. Davis Sims, who is a gentleman in the city, a man of great position; he had the 20 *l.* handed to him to pay the expenses of that committee-room.

 263. Have

Mr. *R. C. Barton.*

10 July 1857.

263. Have you any account of the way that was disposed of?—Yes, an account was subsequently rendered.

264. Where do we find that; I want to dispose of that 20 *l.*?—I think this explains it (*handing a paper to the learned Counsel*).

265. This says, "Disbursements, see No. 1, ditto No. 2, ditto No. 3, ditto No. 4;" I see here is 50 *l.* expended?—Yes, at the house.

266. You have only returned 25 *l.* 15 *s.* 6 *d.*?—Yes, that was a subsequent payment.

267. You have included both accounts?—I think that is a mistake.

268. Am I to understand, then, in point of fact, Mr. Sims paid 49 *l.* in this house?—Yes, I believe that is so.

269. And you return to the election auditor 25 *l.* 16 *s.* 6 *d.*?—I returned a payment of 20 *l.* in the account before the nomination, and I have subsequently paid the balance.

270. I see the date of this is March 25th?—That is the 20 *l.*

271. That is before the nomination?—Yes.

272. But it is for the 49 *l.*?—This receipt bears date April 3d, 1857, which is subsequent to the nomination.

273. *Committee.*] That includes all the disbursements before and after the nomination?—Yes.

274. Mr. Serjeant *Ballantine.*] All I want now is the detail of 20 *l.* before the nomination?—Our books will show this very simply, if you will allow me to have the use of the accountant to bring the books forward.

275. Give me the items?—The result of this is that Mr. Sims has expended 49 *l.* 10 *s.* 6 *d.*, and he hands over his receipts and vouchers for the amount which he has paid, which the accountant tells me is crossed off on this sheet.

276. Can you tell me what the sum of 20 *l.* on the 20th of March is made up of; how is it disposed of?—It was money paid to canvassers, messengers, and the clerk.

277. Then, am I to understand that this 20 *l.* was paid to canvassers, messengers, and the clerk?—Yes.

278. Before the day of nomination?—Yes, by Mr. Sims; and given to Mr. Sims for the purpose.

279. Give me all the names of the canvassers paid?—I mentioned the names of four who were engaged one day. The reason why that sheet is separate is that we required at the central committee-room that these sheets should be sent in to us every Friday.

280. I only want the names now?—I have read Anderson, Gilham, and Harris.

281. Give me the Christian name of Anderson?—John Anderson.

282. *Committee.*] John Anderson was the clerk, and not a canvasser?—He was a clerk; his pay was increased to 12 *s.* 6 *d.* a day.

283. Mr. Serjeant *Ballantine.*] What as?—He appears to be clerk of the committee.

284. As canvasser also?—I believe he was clerk of a committee; he was not paid in the double capacity; he was paid as clerk of the committee, and responsible for that house.

285. I want to see whether Edward Haines and Henry White appear?—I do not observe that they were in any way employed at that house.

286. Let me now come to the Queen's Arms; are there any accounts returned except those paid at that house through Mr. Sims?—The publican for the house might have been paid separately by the election auditor for the use of the room.

287. Was he paid?—I have no doubt he was.

288. How much?—The election auditor paid him; I cannot say what it is.

289. Now, at the Queen's Arms from the 20th to the 27th, I find there is an expenditure altogether of 18*l.* 10*s.* under the date of the 20th, and 11*l.* 17*s.*; just discharge that, if you please; to whom was that 18*l.* 10*s.* paid?—Is that the Queen's Arms, Upper Kennington-lane?

290. The landlord is a gentleman of the name of Jannaway?—I have the pay sheet of the Queen's Arms.

291. Who hired the Swan Tavern?—On Mr. Roupell's starting, I went and hired the Swan Tavern.

292. Now I should like to know about this 18*l.* 10*s.*, if you can tell me?—We have sent for the cash book.

293. Cannot you tell me the items without the cash book?—They are condensed

densed there; it is kept by the accountant; it is impossible to know all these details.

294. Can you tell me, when the book comes, the number of canvassers and paid committee-men there?—Yes, I observe there was a committee of thirteen at that house.

295. Were they paid?—They appear from the sheets I have here, not to be paid.

296. You have no recollection?—There seems to have been a committee formed; then the canvassers seem different persons.

297. Have you got the names of the canvassers at the Queen's Arms?—Mr. Frederick Ryan appears to be a clerk at 10*s.* a day, and Duffell, a canvasser, at 10*s.* a day.

298. Give me the Christian name?—I have no Christian name.

299. What else?—May, a canvasser, at 10*s.* a day, and William Burn, messenger, at 5*s.* a day.

300. Can you tell me what you paid Mr. Jannaway for the rent of the room?—Mr. Jannaway, for rent of room one week, two guineas.

301. That is independently of the others?—Yes.

302. To whom did you pay the 18*l.* 10*s.*?—They attended at the central committee-room; the order was given that all accounts should be sent in to the central committee-room every Thursday, in order that they might be examined and paid on the Friday.

303. To whom did you pay this 18*l.* 10*s.*?—E. Jannaway, the landlord, receives one portion.

304. How much did he receive?—I don't know how much.

305. Out of this 18*l.*, what did you pay to Janaway?—The details are here.

306. Never mind the details; Janaway is a voter, you know?—I do not know it.

307. Do you know that Janaway is a voter?—I do not know the fact.

308. What did you pay Janaway?—He was paid for the use of his room, two guineas; for one week's use of his room.

309. What was the name of his house?—The Queen's Arms; he might have received money and have handed it over to the chairman.

310. I want to know whether he did receive any money out of the 18*l.*?—Without calling him I do not know.

311. You say there was some sum paid to him?—That he paid it to others; it appears by the accounts that he was paid ——

312. What was he paid out of that 18*l.* 10*s.*?—They would bring us the sheet with the name of certain canvassers, and their receipts for the money, and he would take away money to cover their expenses.

313. Can you tell me what the money comprised in the 18*l.* 10*s.* was paid into the hands of the landlord for, and did you not pay it yourself?—I did not pay it myself; there was a secretary appointed.

314. Did you pay the secretary?—Yes, I did.

315. Who was he?—A Mr. Hogan.

316. How much did you pay for the purpose of paying Janaway?—These accounts were all checked the previous day, and the money was handed over to the chairman to distribute at each of these houses.

317. How much did you get for Janaway?—All Janaway appears to have received was the rent of his house.

318. How much was paid into his hands?—I am not clear that it was paid into his hand.

319. I understand you to say that you paid, or caused to be paid, to Janaway, 18*l.* 10*s.*?—I caused that 18*l.* 10*s.* to be paid in respect of the Queen's Arms.

320. *Committee.*] And that was by Hogan?—Yes.

321. Mr. Serjeant *Ballantine.*] Who receives it, the landlord?—He received two guineas for his room.

322. How much more?—I do not observe that he received anything more.

323. *Committee.*] Can you make up the 18*l.* 10*s.* under the supposition that he received only two guineas?—I have not the cash book, but I have sent for it.

[Adjourned till To-morrow, at Eleven o'clock.

Sabbati, 11° *die Julii*, 1857.

ROBERT INGHAM, Esq., IN THE CHAIR.

Mr. *James* applied for a summons to procure the attendance of a person named Tredre.

Mr. *James Ellis*, sworn; Examined by Mr. *James*.

Mr. *J. Ellis.*

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324. ARE you clerk in the office of Messrs. Harrison, the solicitors?—Yes.

325. Did you serve the witness, Joseph Tredre, with a Speaker's warrant?—Yes.

326. When did you serve him with a Speaker's warrant?—On Saturday last.

327. Had you seen him at the office of Messrs. Harrison?—No.

328. What did he say to you when you served him with a warrant on the 4th of July?—He said he would attend.

329. *Committee.*] Did you tell him what day to attend?—I told him the petition would come off yesterday, but he would hear further.

330. Mr. *James.*] Have you seen him since?—No.

331. *Committee.*] Where did you serve him?—At the King William the Fourth public-house.

Cross-examined by Mr. *Slade*.

332. Have you given him any notice to attend?

Mr. *James* objected to the question.

333. Mr. *James* (*to the Witness*).] Have you been to look for him?—Yes.

334. Where?—Several times.

335. Where?—The same place.

336. Where did you serve him?—At a public-house, going by the name of the King William the Fourth.

337. Where?—In Albany Road, Camberwell.

338. *Committee.*] Have you been at his own house to look for him?—I do not believe he has a house.

Mr. *Thomas Hart*, sworn; Examined by Mr. *James*.

Mr. *T. Hart.*

339. WHAT are you?—I am assisting my father, an artist.

340. Do you know the witness, Joseph Tredre?—I do.

341. How long have you known him?—These five or six years.

342. Did you see him the night before last?—I did.

343. Did you learn from him that he had been served with a warrant to attend the Committee?—Yes.

344. Where did you see him the night before last?—In the Kent Road.

345. Did you meet him?—I did.

346. Did you go anywhere with him?—I did.

347. Where did you go with him?—I went to a house some distance over the Kent Road bridge with him.

348. Is that called the Surrey Canal Bridge Tavern, and kept by a person of the name of Gilham?—No.

349. Where did you go with him?—To the Rising Sun.

350. Did you see a person of the name of Gilham, jun.?—I did.

351. Is he the man who keeps the Surrey Canal Bridge Tavern?—The one I saw was.

352. How came you to see Gilham with Tredre; did you meet him?—I was with Tredre.

353. How came you to see Gilham?—We met him.

354. Did

Mr. *T. Hart.*

11 July 1857.

354. Did Gilham say anything to Tredre, or Tredre to Gilham?—Not in my presence.

355. What became of Tredre?—He promised to see me in an hour's time, and did not do so.

356. Did you leave him with young Gilham?—I did.

357. And that Gilham I understand is the landlord of the Surrey Canal Tavern?—That is correct.

358. When he told you he had the warrant, did he say anything about attending, or when the petition was coming on?—No, he did not tell me so; but he told another gentleman so.

Mr. *Charles Cathie*, sworn; Examined by Mr. *James*.

Mr. *C. Cathie.*

359. DO you reside at 8, Surrey Grove Cottages, Peckham?—Yes.

360. On Thursday, the day before yesterday, did you see Joseph Tredre?—Yes.

361. You know him?—Yes.

362. Did you see him on Thursday?—Yes.

363. About what o'clock?—About one or half-past one.

364. Where did you see him?—In the Albany Road.

365. Did you learn from him that he had been served with a warrant to attend the Committee?—He had been served with a notice; I do not know that it was a warrant.

366. Did he say anything about that?—He said he should not appear unless he was forced.

367. This was on Thursday?—Yes.

368. Did he tell you he had been served with a notice to attend?—Yes, he had been served with a notice; he expected to be served with a subpœna afterwards.

369. Did you say he expected to be served with a subpœna afterwards?—Yes; he said he should not attend unless he was served with a subpœna.

370. Did he say anything about his evidence?—Yes; he said he was the principal witness in the case.

371. Did he say anything about a person of the name of Gilham?—He told me he expected to receive something; he did not say who it was from.

372. *Committee.*] Did he tell you he was ordered to attend here on a particular day?—Yes.

373. Did he mention the day?—Yes, Friday. I have known this last week he would not attend; he told me every day.

374. Do you know where to find him?—No.

375. Mr. *James.*] Had you a letter from Tredre?—I had.

376. When?—Yesterday.

377. Where is it?—I have it not about me.

378. What have you done with it?—I am not obliged to answer what I have done with it; I have it not about me.

379. What have you done with that letter?—I do not know that I am bound to answer what I have done with it.

380. I shall take the sense of the Committee whether you are bound to answer?—I have it not with me.

381. What have you done with it?—Well, I have given it to another party.

382. To whom?—I do not know that I am bound to answer that; am I?

The *Chairman* stated the Committee were of opinion that the witness was bound to answer the question.

383. What have you done with it?—Mr. Hart has got it.

384. Who is Mr. Hart?—The last witness. I do not know why a private letter should be read.

385. Did you give it to him?—I did.

386. When?—This morning.

387. Where; in the lobby?—No; in Palace Yard.

Mr. *James.*] Mr. Hart, just give me that letter.

The *Witness.*] I will show his handwriting.

The *Chairman* asked for the letter, which was handed in.

Mr. *C. Cathie.*

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388. Mr. *James.*] Is there any portion of that letter which has reference to his coming here?—Not any of it.

389. Where is the letter dated from?—From nowhere.

390. Have you read it?—It is dated the 10th.

391. *Chairman.*] I have read the letter. You must tell me where that man is to be found?—I do not know; on my oath I do not. I have been to his father's this morning; I have been wanting to see him, and I have not seen him.

392. Do you know where he is?—On my oath I do not.

393. Read the last part of that letter, and then tell me if you do not know where he is, or where he is to be communicated with?—I have tried this morning; I wanted to see him particularly myself, on other business. I could not find him myself this morning. That was an appointment to meet him last night. I did not receive this till after nine o'clock. There were three sent to three different places, so that one should find me. You can read the whole of it.

394. It says, "I shall be at the Manor House, Walworth, after eight and eleven, and shall be happy to see you. Do not let anyone know where I am." You have been there, and cannot find him?—I went to see him this morning, and could not.

395. Can you tell us where he lives?—I do not think he has got any particular residence.

396. Where does his father live?—In Camden-street, Walworth; he has parted with his wife.

397. Give the name of the place where his father lives. What occupation is this man?—I have never known him to work.

398. Just state where his father lives?—In Camden-street, but the number I do not know; if you turn round by Clayton's chapel, it is on the left-hand side.

[The Witness was directed to withdraw.

Mr. *James Ellis*, recalled; Examined by the *Committee.*

Mr. *J. Ellis.*

399. The first time you saw him you told him the Committee sat on Friday, and he would hear again when he was to attend?—Yes.

400. When did you go again after him?—I went on Tuesday.

401. Who sent you?—I was down there serving summonses on the various witnesses all along.

402. Specifying the day when they were to attend?—Yes.

403. Had you one for him?—Yes, specifying the time he was to attend; that was yesterday, and I did not see him.

404. And you looked all about?—I looked all about, and made inquiries up to last night.

The *Committee* deliberated, and the *Chairman* stated that the Committee had come to the opinion that they would issue the warrant.

The *Chairman* then inquired whether Mr. James had delivered in an amended list.

Mr. *James* replied in the affirmative.

Mr. *Edward Proom*, sworn; Examined by Mr. *E. James.*

Mr. *E. Proom.*

405. WHAT are you?—A gentleman.

406. No occupation?—No.

407. Have you ever been in any business?—Yes, an omnibus proprietor.

408. Were you an elector of the borough of Lambeth?—I was.

409. I believe your number on the register is 16,177, and you reside at St. Paul's-place, Westmoreland-road?—Yes.

410. You are a gentleman of some property, and own a considerable number of houses there?—I do.

411. Where are those houses situate chiefly?—Smirke's-road, Minor-road, and Albany-road.

412. How many tenants have you?—Forty-five.

413. Are

413. Are there many of them voters?—No.

414. Are there not many of them voters?—There are but few of them.

415. How many should you say?—I should think from eight to 10; but that is only imaginary.

416. At the last election did you act as chairman of Mr. Roupell's committee, which was held at St. Paul's Tavern, Walworth Common?—I did.

417. Did you receive any money for your services?—For my services?

418. Yes?—Not any.

419. Did you receive 15*s.* a day for your services?—My pay-sheet will tell.

420. I will call for that directly; answer that, yes or no; did you receive any money for your services?—I think there was 15*s.* on the pay-sheet.

421. Pray answer this distinctly; did you receive any money for your services?—You may term it services; I did receive 15*s.*

422. I thought you said just now you did not?—Not for services.

423. What did you receive the 15*s.* a day for?—Not for services.

424. If not for services, tell the Committee what for?—I could not afford to run about and give my time, and pay cab hire; it amounted to about 15*s.* a day.

425. If you did not receive it for your services, tell the Committee what you received it for?—It was for expenses incurred in cabbing and riding about from one place to another.

426. *Committee.*] What occasion had you to ride about in cabs?—On my own business. I stopped very late in the morning, and I was forced to get a cab to go into the city, or to the west end sometimes.

427. Mr. *James.*] Were not a large number of cabs hired by Mr. Roupell; 150 at least?—Not for me; only on the election day.

428. None before?—No.

429. Do you mean it to be taken down that the 15*s.* a day was for your cab hire?—Not cab hire; other expenses; cab-hire would be included in it.

430. Now, I ask you the question that the Honourable Chairman put to you; do you mean to represent to the Committee that you spent 15*s.* a day in cab-hire?—Not in cab-hire; the expenses of the day would be over a pound.

431. Who made the arrangement with you that you were to have 15*s.* a day?—I had no arrangement made at all.

432. Give me the pay-sheet of St. Paul's Tavern (*it was handed to the learned Counsel*). There are three; we call for the three. (*To the Witness*) Take this into your hand; is that the first pay-sheet?—Yes, this is the first.

433. *Committee.*] What is the date of it?—The 27th of March.

434. Mr. *James.*] Now just attend. I beg the attention of the Committee to this; observe the alteration: "Edward Proom, canvasser," and the word "chairman" obliterated. Take that into your hand; to whom did you deliver that pay-sheet?—This would go to the central committee at the Horns.

435. Is that your writing?—No.

436. Whose is it?—Mr. Lloyd's, the clerk's.

437. The clerk employed at your committee-room?—Yes.

438. Just show to the Chairman the obliteration of the word "chairman," and the word "canvasser" put in?—Yes.

439. In what state did you send that in to the central committee; you observe the obliteration?—Really I cannot undertake to say anything about it.

440. That you say?—I could not undertake to say.

441. Did you not see that pay-sheet before it was sent in?—Of course I must have seen it, but I cannot undertake to say whether that was as it is now or not. I have no other reason but to believe that it is.

442. Will you swear before the Committee that when you last saw that pay-sheet it was not sent in "Edward Proom, chairman," and has been altered since?—I cannot undertake to say.

443. Is that the only answer you can give?—To the best of my belief it is now as it was when I sent it in.

444. In whose handwriting are the words "Edward Proom, chairman," which is obliterated?—That is in Mr. Lloyd's.

445. In whose handwriting is the word "canvasser," where the obliteration occurs?—That I cannot tell.

446. That you swear?—Yes.

Mr. *E. Proom.*

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447. Now look at it again?—No, I cannot say whose it is.

448. Now I produce to you three other pay-sheets (*handing the documents to the Witness*), one being a duplicate; are they not all altered in the same way; two originals and one duplicate?—Yes, they are; they are all altered; whether they were altered in my committee-room or not, I cannot say.

449. I ask, were they not sent from your Committee-room "Edward Proom, chairman," and have been altered since you sent them to the central committee?—Upon my honour I cannot undertake to say.

450. You are on your oath?—On my oath I cannot undertake to swear whether they were altered by Mr. Lloyd or altered since.

451. On your oath were not those altered at the central committee-room?—I certainly should not like to undertake to swear.

452. What is your belief?—If I knew they were altered I should swear it in a moment.

Mr. *Slade* objected to the question.

The Witness was directed to withdraw.

Mr. *James* was heard in support of the question.

The *Chairman* stated that the Committee thought the question ought not to be pressed.

The Witness was re-called.

453. Mr. *James.*] Take those into your hand, and say whether you will swear they left your committee-room in that altered state?—I really cannot undertake to swear whether they were altered at my committee-room or afterwards, for Mr. Lloyd filled up the form. I am not a first-rate scholar; possibly I put my name before this was filled up at all.

454. *Committee.*] Do you know whose handwriting these are?—These would be in the clerk, Lloyd's.

455. Mr. *James.*] Will you swear that that pay-sheet left your committee-room in Lloyd's handwriting in that altered state, or was it not done afterwards?—I have already told you I should be very sorry to swear.

456. You signed those?—Yes.

457. And you must have signed them after they were written out; now, having signed them after they were written out, will you swear that that obliteration was there?—I cannot swear; I have no recollection of it.

458. Just give to me the first in order that you sent in, and we will mark that "A." £.15. 2*s.* is the first; put in the three, and we will mark them "A." "B." and "C."—Yes. (*The documents were handed to the Committee clerk, who marked them with his initials.*)

459. Now give me the pay-sheet "A." (*To the Witness*) Be kind enough to tell me, on the 20th of March did you receive a sum of 15*l.* 2*s.*?—I did.

460. On the 27th, did you receive a sum of 32*l.* 12*s.*?—I did.

461. And on the 31st, did you receive a sum of 20*l.* 13*s.* 6*d.*?—I did.

462. Who paid you the sum of 15*l.* 2*s.*?—Truman.

463. Who is Truman?—I do not know.

464. A person you do not know paid you?—Not personally; it was a gentleman belonging to the central committee.

465. Do you know that he is a foreman at Mr. Roupell's?—No.

466. Did he pay you in money or by cheque?—He paid me in money; notes and gold.

467. Who paid you on the 27th of March the second sum, 33*l.* 12*s.*?—Mr. Truman.

468. The same person, Truman?—Yes.

469. Where did he pay you that?—At the Horns Tavern.

470. The central committee-room?—Yes.

471. Who paid you on the 31st the 20*l.* 13*s.* 6*d.*?—Mr. Truman.

472. Where did he pay you that?—At the Horns Tavern.

473. I will just read the first item in it, "Mr. Edward Proom ('chairman' obliterated, and put 'canvasser'), rate 15*s.*;" does that mean 15*s.* a day?—That would be my expenses for that week.

474. Is it not for that day?—Yes, per day; 15*s.* per day.

475. It is put down at 2*l.* 5*s.*?—Yes.

476. "Mr.

476. "Mr. William Fry, canvasser; rate 10*s.*;" does that mean 10*s.* per day?—Yes.

477. Is this his signature to it?—Yes, if there is any writing to it.

478. It comes to a pound?—Yes.

479. Is he a builder?—Yes.

480. Is he a voter, No. 15,352 on the register; did you pay him that?—Yes.

481. "John Knurst," signed, "1*l.*"; is he a voter?—I believe he is.

482. He is No. 15,773 on the register. "Davis, rate 10*s.* per day; two days employed, 1*l.*:" is Davis a voter?—Is there not some error in that? I don't think Davis is there at all.

483. Just look at it; it makes up the 15*l.* 2*s.*, you know (*the Witness looked at the document*)?—I believe he is a voter.

484. "James, 10*s.* a day, 1*l.*;" signed "James"?—Yes, I believe he is a voter.

485. "John Pipe, 17*s.* a day;" "Finnigan, 7*s.* 6*d.* a day; rate 15*s.*;" "Paxton, 7*s.* 6*d.* a day, 15*s.*;" "Brinkworth, 7*s.* 6*d.* a day, 15*s.*;" "Clements, 7*s.* 6*d.* a day, 15*s.*;" "Westrop, 7*s.* 6*d.* a day, 15*s.*;" "Collins, 10*s.* per day, 1*l.*;" "Woolmer, messenger, 5*s.*, 15*s.*;" "For committee-room, 2*l.* 2*s.*: 15*l.* 2*s.*" Now, is that the account of your disposition or disbursement of those sums amounting to 15*s.* 2*s.*, as rendered by yourself?—Yes.

486. Were those people whom I have called over on the committee?—They were canvassing for the district that I belong to.

487. I asked you a plain question; were they on the committee?—They were.

488. And as you have properly stated, all voters?—No.

489. I thought you said they were all voters?—I believe they were all voters, but I do not undertake to say.

490. They are, some of them?—That I do not know at all.

491. Before we leave the first pay-sheet, let me ask you, is that signed at the bottom, "Edward Proom, chairman," and "Joseph Lloyd, clerk?"—Yes, but I did not write that.

492. Mr. *Slade.*] Is that in your handwriting?—No.

493. Mr. *E. James.*] Now we will take pay-sheet B.; "Edward Proom," the same rate, "15*s.*;" a charge of 4*l.* 10*s.*, making out 33*l.* 12*s.*?—Yes.

494. "William Fry, 3*l.*;" is that the same Fry, at the rate of 10*s.* a day?—Yes it is.

495. "Knurst, 10*s.* a day, 3*l.*," signed by him?—Yes.

496. "Collins, 10*s.* a day, 3*l.*," signed "Thomas Collins"?—Quite right.

497. "Pipe, 7*s.* 6*d.* a day, 2*l.* 5*s.*," signed "John Pipe"?—Right.

498. "Finnigan, 7*s.* 6*d.* a day, 2*l.* 5*s.*," signed "Finnigan"?—Right.

499. "Paxton, 7*s.* 6*d.* a day, 2*l.* 5*s.*," signed "Paxton"?—Yes.

500. Those are the same names as in the former list; the amounts will be material by and by?—Just so.

501. "Brinkworth, 7*s.* 6*d.* a day, 2*l.* 5*s.*;" "Clements, 7*s.* 6*d.* a day, 2*l.* 5*s.*;" "Westtrop, 7*s.* 6*d.* a day, 2*l.* 5*s.*," signed "Westtrop;" "Lloyd, clerk, 10*s.* 6*d.* a day," signed "Lloyd;" "Woolmer, messenger, 1*l.* 10*s.*," signed "Woolmer"?—Yes.

502. "Corbett, for rent, 2*l.* 2*s.*"?—Yes.

503. Was Thomas Collins a voter?—Yes; he was the previous clerk, a herald painter.

504. That makes up the amount, 33*l.* 12*s.*; then you have "Canvassing, 27*l.*;" what does that mean? does that mean the payments to these people for canvassing?—Yes.

505. Was that done at your committee-room?—No.

506. Was it done at the central committee-room, after you sent it, "canvassing;" it is a sort of summary of 27*l.*?—I think this is in the handwriting of Lloyd.

507. Just look?—I do not know anything about it.

508. This pay-sheet was sent, as you say, to the central committee-room?—Yes.

509. And paid to you on the 27th by Mr. Truman?—Yes.

510. In money or in cheque?—Notes and gold.

511. And Truman signed this in red ink. Who is this "B., junior"?—I had a very bad finger at the time, and I made this signature with my left hand; this "B. A." I did not see at all.

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Mr. *E. James.*] There are four documents put in; the Committee will remember one was a duplicate; it is the duplicate of the 33*l.* 12*s.* account. I put that in, not for the purpose of having it over again, but I put it in for the alteration.

The *Chairman.*] The word "duplicate" is written in red ink at the top; in whose handwriting is that? is it in the same handwriting as the other alterations?

Mr. *E. James.*] It does seem so. Now, I take the paper "C.," and this has reference to the 31st March; the payment was 20*l.* 13*s.* 6*d.*; I think I am correct in stating, because this will be in evidence, and go on the notes, that the names are precisely the same of the committee-men, and I will give the payments. "The Chairman, Edward Proom, 2*l.* 5*s.*"; "Fry, 2*l.*"; "Knurst, 2*l.*"; "Collins, 2*l.*"; "Finnigan, 2*l.*"; "Davis, 2*l.*," and "Pipe, 1*l.* 10*s.*"; "Paxton, 1*l.* 10*s.*"; "Brinkworth, 1*l.* 10*s.*"; "Collins, 1*l.* 10*s.*;" "Westtrop, 1*l.* 10*s.*"; "Lloyd, the clerk, 2*l.*"; "Woolmer, the messenger, 1*l.*"; "Committee-room, 2*l.* 2*s.*" (*To the Witness*) I beg your attention to this item; besides what you have charged for yourself, and you have stated to the Committee that it was cab-hire, I find this item, "Cab-hire, messenger, bill-posting all the election, 2*l.*" What is the meaning of that "cab-hire"?

Witness.] It is quite right; it does not apply particularly to cabs; it is incidental expenses of the election.

512. Independently of cab-hire, I ask you if there were not cabs employed on the polling-day to take the electors to the poll, independent of this charge?—Yes.

513. Truman, you say, paid this?—Yes, the whole amount.

514. At the central committee-room?—After a good deal of trouble; in fact, there was not a cab at our committee-room.

515. For hire to fetch a voter up?—Yes; I had a great deal of trouble to get that two sovereigns.

516. You say you were chairman of the committee; what did you do in your capacity of chairman; you received a good deal of money; the total amount of money received is 69*l.* 7*s.*?—For the whole 14 days.

517. What did you do for all this?—Paid it to the canvassers, the clerk, agents, and messengers.

518. You paid it?—As it is detailed there.

519. *Committee.*] What work did you do?—I was there superintending the room, to see that the parties were at work canvassing; that was my employment, to see that they went out, and I regulated their books.

520. Mr. *E. James.*] Did you canvass your tenants?—No.

521. Did you ask your tenants for votes?—I never went near one of them; being chairman, I directed them to go round the district; my own tenants and other people's tenants were amongst them; I did not authorise them particularly.

522. Why did you send these individuals to your tenants?—I sent none of these canvassers particularly.

523. Had these canvassers a district?—Yes; my committee was selected where my property was; and consequently, in canvassing other people, they were bound to canvass my own property.

524. Who did you see about the formation of this committee?—I never saw anybody.

525. That you mean to say?—Yes.

526. Did you form it entirely of your own accord?—It was formed before I went near it.

527. Who did you first see about being chairman?—Two gentlemen of the names of Knurst and Fry; I was on another committee, and I was requested by a friend or two of mine, to go and preside over this.

528. Where was the other committee?—In Amelia-street.

529. What was the name of the public-house?—It is called Hannah's, the Queen's Head.

530. I suppose Hannah is the name of the landlady?—No, the name of the landlord; I believe that is the case.

531. Did

531. Did you abandon your committee at the Queen's Head when you undertook to preside over this?—I did so.

532. Did not that go on?—Yes.

533. Were you chairman of the former committee?—No, I was only invited to go there.

534. Who was the chairman there?—Mr. Hughes.

535. Mr. *James.*] You found this committee there formed by Mr. Fry and Mr. Knurst?—The whole of these gentlemen, and 10 others of Mr. Williams's party. In fact, they were all composed of Mr. Williams's party; these men and all.

536. Were you sending in these pay-sheets then as a joint committee?—No, not as far as I was concerned.

537. Then, what do you mean by Mr. Williams's committee?—The locality; I mean a great part of them were friends of Mr. Williams.

538. These pay-sheets are sent in to Mr. Roupell?—Yes, I know they are, for services done, which I paid for.

539. Were any pay-sheets sent in to Mr. Williams?—None whatever, so far as I am concerned; I did nothing for him.

540. Were any of these gentlemen I have mentioned, who received these sums of money, were they members of Mr. Williams's party?—Not that I am aware of.

541. These were all Mr. Roupell's?—They were on our committee, or my canvassing rather.

542. Had they directions to canvass for Mr. Roupell and Mr. Williams?—No, I gave them no instructions at all, barring the party I sent them out for. I had got the interest of the gentlemen at my heart.

543. You say you saw Mr. Fry and Mr. Knurst; who was it told you to send in the pay-sheets to the central committee?—I went with Mr. Fry and Mr. Knurst to the central committee.

544. Whom did you see there?—I saw Mr. Truman, and, I think, Mr. Doulton.

545. Is that the gentleman whom you say took the chair at Mr. Roupell's meetings?—Yes.

546. What directions were given to you by Mr. Truman and Mr. Doulton as to sending in the pay-sheets to the central committee?—I had no arrangement at that time at all; I refused to act. I thought it was a responsible place, and I was not going to pay money out of my own pocket unless I knew the way it was to come back again.

547. When was it arranged?—Then I went to the central committee, and Mr. Truman said, "Those canvassers who are middle tradesmen, who have to work about, they must be paid, or else they will not serve." I then consulted with them, and I arranged, in the manner in which you see, for 7*s.* or 10*s.* a day.

548. Tradesmen, you say; they were all members of the committee?—Yes, second class tradesmen.

549. Small shopkeepers?—Yes. There are some builders. Mr. Knurst is a man who has got some property.

550. And a vote too, and a person of some influence?—Yes; and, from what I saw, a friend of Mr. Williams.

551. A person of some influence?—Very little there.

552. Is his property in that neighbourhood?—I believe not.

553. Was he one of the gentlemen who was one of Mr. Williams's supporters?—I believe he was a Williams man.

554. How did he vote?—He split his vote.

555. His No. on the register is 15,773, John Knurst, 70, Cancel-street. You say at that time you did not like to pay money unless you saw the way in which it would come back. Who made the arrangement for sending in the pay-sheets to the central committee?—Mr. Truman. I got the information from the central committee. I am not positive whether it might be Mr. Truman or not, because there were several others.

556. Was it left to you to employ or pay whom you like, as chairman, or did they appoint the rates of pay at so much per day?—After some conversation with Mr. Truman, he was satisfied that he could trust 30 *l.*, or 40 *l.*, or 100 *l.*; and he said he left it to me.

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557. And it was left to you, to employ these parties, and to fix the rate of payment?—Just so.

558. What do you mean by trusting 30 *l.* or 40 *l.*; was the amount placed in your hands?—No, not at all.

559. Then were you satisfied with incurring liabilities to that amount?—Yes.

560. You arranged the payments to these various parties, and the rates and the time employed, and so on?—I did.

561. Having left the Queen's Head, and having taken the chairmanship of this committee, when did you appoint these gentlemen at so much per day?—They were already formed at the St. Paul's Tavern.

562. Did they ask you for payment, or did you promise it to them?—I proposed this: I said, "The fact is, none of you gentlemen who are here on the committee can have any money at all." There was some dissension among them. I said, "Any party who feels inclined to work at canvassing, going round the district, I will arrange with you myself, and talk to you about the price after the room is cleared."

563. Was the room cleared?—Partly; only those who were friends of Mr. Roupell, plenty of them, said, "I shall go and do the best I can, and I shall have nothing to do with the staff at all."

564. Did you arrange with them the payment they were to receive?—No, not at all.

565. What was the date of this?—You have got the date down.

566. Is it in the first pay-sheet?—Yes.

567. The first pay-sheet is the 20th of March?—Yes; the clerk and messenger too were paid three days; the other men did not come in attendance till the next day, and they were paid only two.

568. Do you know where Mr. Lloyd lives, the clerk?—I do not; it is somewhere handy to the Camberwell-gate. There will be no difficulty about him, if you want him you can have him; I don't know his residence.

569. If you say you cannot give it, I am satisfied?—I cannot.

570. In order to satisfy Mr. Slade, I find that John Knurst voted for Williams and Roupell. You say you left the committee at the Queen's Head, Walworth; did that committee go on after you left it?—I had nothing to do with it; it did go on.

571. How far is the Queen's Head, Walworth, from this committee at the St. Paul's, where you sent in these pay-sheets from?—I should think half a mile, it is not much less than half a mile; say a quarter, if you like; I should think it is half; there is the Westmoreland-road and the Walworth-road.

572. Is it a quarter of a mile?—Yes it is.

573. You think it is?—I am sure it is.

574. Do you know the chairman of that when you left?—I had not left it; Mr. Hughes was chairman; I had not left it.

575. Did you visit it after you had become chairman of this committee, as it is called?—Not at all, I had nothing to do with it.

Cross-examined by Mr. *Slade*.

576. The ten others were parties on Mr. Williams's committee, with which you had nothing to do?—I don't understand the question.

577. You told my friend there were 10 others who belonged to Mr. Williams's party, besides those whose names are down there, whose names are on the pay-sheet?—I must have made a mistake then; the whole of the 10 down there, if you must take it that they were favourable at all, were favourable to Williams; it was really a Williams committee, that is my impression.

578. You told my friend you had some difficulty in getting from Mr. Truman the payment of the last 2 *l.*?—Yes, only the 2 *l.*

579. Were not those charges in these pay-sheets carefully checked by Mr. Truman, for the purpose of seeing that no imposition was practised on the general committee?—Yes.

580. Just take the last sheet into your hand, dated the 31st of March; is that the last sheet?—Yes.

581. Were

581. Were those sheets as they were sent in by you, and before you received payment, checked by the secretary, and Mr. Truman as well?—They were.

582. Take that into your hand, and see whether there was not a considerable deduction made of 6 *l.* odd shillings from the charges originally sent in?—Yes.

583. What would be the amount?—The full amount would be 26 *l.* 17 *s.* They deducted 6 *l.* 3 *s.* 6 *d.*

584. That 6 *l.* 3 *s.* 6 *d.* was disallowed, and the balance was paid over to you?—Yes.

585. My friend put into your mouth something about cab-hire. Read the entry in the sheet which has reference to cab-hire, and see whether it has not reference to cab-hire, and other expenses during the whole three weeks of the canvass?—Yes.

586. Now read it?— "To cab-hire, incidental expenses, bill-posting, &c., 2 *l.* 2 *s.*

587. *Committee.*] That is for the whole election?—Yes, for the whole of the election."

588. Mr. *Slade.*] Cab-hire, extra messengers, bill-posting, &c., 2 *l.*?—Yes, that is for the whole of the time.

589. Was any other pay-sheet sent in after that one?—No.

590. That closed all your accounts?—It did.

591. Had you houses employed, what are called posting-houses, on which the owners of the houses allowed you to post your bills and placards?—We had at all our committee-rooms.

592. Would the cleaning of these houses, or the rooms you occupied, be included in these general expenses?—Yes, it would. All the man gets is 2 *l.* 2 *s.* for his house, and he would have to clean his house down.

593. *Committee.*] We don't understand the answer?—A man has 2 *l.* 2 *s.* for his house for a week, and he would have to clean his house down.

594. Were there other houses where you had the privilege of posting up placards?—That would have nothing to do with my committee; that would be with the central committee.

595. Mr. *Slade.*] I wish to call your attention to the house in which you were specially engaged; would the restoring of that to its proper state be included in that bill?—Yes, everything is in this bill; the 2 *l.* 2 *s.* for the house would include the cleaning of it down.

596. You say that Mr. Truman confided to you the employment and rate of payment?—He did.

597. When you took on yourself the office of chairman, did you find more parties in that room than the parties whose names are here on this pay-sheet?—I did; I should think at least 20 more than there are there; I should think there were 30 in the room.

598. Am I right that you then informed all these parties that they could expect no payment from you at all, except they rendered services for that payment?—I did; that was my first language to them.

599. That is when you first took on yourself the duty of chairman?—Yes.

600. *Committee.*] You said that there was some uneasiness felt when you made that communication?—Yes, they seemed a little dissentient; some said they could not waste their time, and that sort of thing; I said, all I could afford to employ I would; "of course I should be very glad to serve you, but you cannot expect to be paid unless you work."

601. Mr. *Slade.*] Did you tell them you could not afford to employ them all?—I did.

602. And those whose services would be required you were ready to pay?—I said, "Stop in the room," and I should engage them.

603. Did you employ any one single man more than the actual services required?—No, I did not; I went to Mr. Truman after I made the arrangement, and I said, "I have taken so many men on, and some are a little better than others; some must have half-a-sovereign, and some 7 *s.* 6 *d.*, if that will meet your views; if it will not, we will go and shut the doors." I said, "We cannot work this room with the staff we have got now on foot; we ought to have four more;" he said, "It cannot be allowed." I think I said, four or six; but he said, "You cannot have them." I said, "It is no matter to me, if we do not have them we shall not have to pay them."

604. Were your instructions, as chairman of a committee-room, to be careful

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in everything you did?—I would not give them a glass of ale at our place; they had nothing at all.

605. Were copies of the Bribery Act and extracts from the clauses in the Corrupt Practices Act sent down to your committee-room?—Yes, and laid on the table.

606. And was every precaution taken, by acquainting you with what the law was, to put you on your guard against doing anything contrary to law?—Every one was cautioned every morning by myself.

607. Just look at that (*handing a paper to the Witness*). Were those placarded in your committee-room?—Yes.

608. And extracts from the Corrupt Practices Act?—Yes, wafered up by the looking-glass; they were sent down from the central committee.

609. In addition to that, had you a circular sent to you, as chairman of the committee, drawing your attention to the Corrupt Practices Act?—I had.

610. In addition to that, was there a true copy of the Corrupt Practices Act on the table of your committee-room?—There was.

611. As far as you know, the same course was adopted in every committee-room?—I believe every committee-room; I went into one or two, and I saw them myself; at the Jolly Sailor they had one sent down to them.

612. Can you point out on this map the districts into which the canvasses were divided; what was your district, what number upon that map?—I do not know.

613. Just go and look at the map, and then tell us?—No. 10 was our district.

614. Was that a thickly-populated district?—Yes, rather thickly populated.

615. Do you at all know how many voters resided in that district?—No, I do not.

616. *Committee.*] You can give some idea, surely?—I think about 2,000 or 3,000.

617. Do you mean the entire district comprising No. 10, or that which you call your own special district?—I am alluding to my own special district.

618. Which lay within No. 10?—Yes.

619. You guess from 2,000 to 3,000?—Yes.

620. Mr. *Slade.*] You say you took on yourself the management and employment of the parties whose names appear on the pay-sheet; how many of them were canvassers?—The whole of them.

621. Did the canvassers go out in pairs?—Yes.

622. Was that for the object of checking each other?—Yes, generally speaking, in pairs; some of them went singly.

623. Had each pair a district allotted to them, or each person?—Each had a district allotted to them.

624. What was the average number of voters allotted to each pair of canvassers?—It is a difficult district to allot them; they are principally clerks, who go out in the morning.

625. Should I be right in saying about 160 or 170 would be allotted to each pair?—Yes, between 150 and 200.

626. In point of fact, did it require a great number of visits to be made to the dwelling of each voter before you could ascertain how he intended to give his vote?—Yes; sometimes we had to go six or seven times to a man's house, and the answer was, "Out; gone to the city."

627. The orders were that the canvassers should persevere in the canvass until they could ascertain which way the voter intended to vote, so as to make a return to the central committee?—Yes; if they said he was going to vote for Mr. Wilkinson, then it was put in our book.

628. The canvasser's duty was to ascertain how the voters were going to vote, so as to make a true return to the central committee?—Yes.

629. Is that the sort of return that was made of the canvass day by day (*handing a document to the Witness*)?—It was; that was sent to the central committee.

630. A return, day by day, of the result of the canvass?—Yes.

631. *Committee.*] Was the return made to you in the first instance?—Yes, and then I forwarded it to the central committee.

632. Mr. *Slade.*] Had your canvassers orders to ascertain, not only those who intended to vote for Mr. Roupell, but those who intended to vote for Mr. Wilkinson and Mr. Williams?—Just the same.

633. So

633. So that you were enabled, if the canvass were properly effected, to see before the day of election, how the voting was likely to go?—Yes.

634. So that you would be able, perhaps, if Mr. Wilkinson asked you, to tell him how many votes he had in your district, as well as Mr. Roupell?—We could have told him days before.

635. At what time in the morning used the men to meet in your committee-room?—Eight o'clock was my time.

636. What time did you call on your subordinates to come?—Eight was their time, and I used to send them out at nine; but at eight o'clock the clerk and messengers, and others were there.

637. At what time did you close the business of the day?—Sometimes we used to sit until eight o'clock at night; we could not get the men in; they would go over to the city after some gentleman, to look after a vote, and then they would have to go to their private houses after six o'clock.

638. So that if the party was not met with at his house in the neighbourhood, at times the canvasser followed him to his place of business in London?—Yes, just so; in the city or anywhere else.

639. Was it your duty, as chairman of the committee, to remain at the committee-room until you had received the reports of your canvassers for the day?—It was.

640. Did you do that?—I did. On one or two occasions I was not there in the afternoon, but the accounts were always sent in; when the messenger came back, I used to see if there were any letters or orders, and that closed the day.

641. In your judgment, did each of these parties do good service for their pay?—I do not think they really were paid; 7 *s.* 6 *d.* a day did not pay them.

642. Regard being had to the rate and amount of pay, and the class of people paid, were they not underpaid?—They really were underpaid; will anybody say half a guinea is enough for the service of a respectable man for 10 or 11 hours?

643. On his feet?—On his feet, walking from house to house.

644. All weathers, wet and dry; why the expenditure of shoe leather would amount to half the money?—It would amount to something towards it.

645. Can you explain this about the change of name, "chairman" to that of "canvasser"?—No, I cannot; I do not know whether it was done at our room or done afterwards; I do not, indeed.

646. Is it the fact that the central committee-room did not recognise a paid chairman of committees, but recognised a chairman of canvassers?—That is what Mr. Truman informed me; that I could only be paid as foreman of canvassers.

647. *Committee.*] You do not know where that alteration was effected?—No, I do not; something was said about not being paid as a chairman, but paid as chairman of canvassers; it was not my pay; it was money I paid out of my own pocket as expenses.

648. Mr. *Slade.*] You received 15 *s.* a day on that scale?—I did.

649. Had you expended that out of your pocket, and more?—Yes, pounds more.

650. To a gentleman in your condition of life this was a sort of nominal payment, to recompense you, and not sufficiently, what you had been out of pocket?—It was no payment at all; I had an idea that Mr. Roupell was a fit man to be returned to Parliament, and if it had come to more I should not have complained; but this 4 *l.* was put in the bill as superintendent of canvassers.

651. Was that what you meant when you told my friend, in answer to his first question, that you were not paid?—Yes, I do not think I was paid.

652. In point of fact, regard being had to what the men did, it was a nominal, and not sufficient payment?—I do not think it was a sufficient payment.

653. I am ashamed almost to put this question to you; did your vote depend on that payment?—No, I hope not; it did not.

654. In point of fact, were you induced to vote for Mr. Roupell for this paltry 15 *s.* a day?—Not at all; not in the slightest; I am in a position that I do not think I ought to be tampered with by 15 *s.* a day.

655. How long have you known the borough?—Seventeen or eighteen years.

656. I suppose in your experience you have taken some part or other in all the elections since the Reform Bill gave you the franchise?—I never had anything

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to do with it before; I have voted before, and I am sorry I had anything to do with this.

657. I suppose you are out of pocket?—I have told you I have been out of pocket, and I am not going to ask for it back again; I will put up with it.

658. Were you a voter last time for Mr. Wilkinson?—I was a voter, but I did not vote; I have been a voter since 1840.

659. Do you know whether this system of canvassing which you have told us of as far as regards your district was introduced into all the other districts?

Mr. Serjeant *Ballantine.*] Do you know anything at all about it?

Mr. *Slade.*] Was there a regular system of canvassing throughout this large constituency?

Witness.] I do not know anything of that myself.

660. You were about in the borough during those canvassing days?—Not a great deal; I had enough to do to stop at the committee.

661. You must have been about on account of the cab-hire?—I went particularly about the Trinity district; seeing that they had no posting-houses in the Trinity district at all, I went to the central committee and made a complaint about it; then Mr. Murphy went down and looked, and thought there ought to be posting-houses.

Re-examined by Mr. Serjeant *Ballantine.*

662. There was a sum of 6*l.* 4*s.* struck off the last bill; that was for a quantity of charges after the day of polling?—Yes.

663. The day of polling was the Monday?—Yes.

664. So that it appears that you charged for these canvassers during the whole of the Monday, and did charge for them on the Tuesday, but they were not allowed?—Just so; charge for them, I beg your pardon, I did not charge for anything but what I paid; what was your question?

665. When the bill was sent in the canvassers were charged as having been employed on the Tuesday?—Just so; but the money was not allowed to me, consequently I did not pay them; I took the men's account to see if it would be paid. Mr. Roupell's committee said they could not recognise the men, and I did not receive it, consequently I did not pay it. It was one day extra sent in which I did not keep, because I did not have it.

666. *Committee.*] You had the 27*l.*, but you did not make those payments?—It was not allowed to me, and I never had it.

667. Mr. Serjeant *Ballantine.*] You had charged for the Tuesday and it was struck off by the central committee?—Yes.

668. Now, hand that to me. You say that this was an entry of the return of the polling; I perceive this is from the committee-room of the Rosemary Branch; have you any such return from your own committee?—We had a similar one.

669. Have you any left?—No, they were all sent to the central committee.

670. You have none?—No.

671. You kept none?—No.

672. Was this a committee, or was it not; I really have not yet learnt?—I believe it was called a committee.

673. Did anybody sit there except yourself?—Yes.

674. Who?—I do not really think there was anybody that formed the committee, except myself.

675. You were the committee?—Yes.

676. I perceive there is a payment for the use of the committee-room of two guineas a week?—That is quite correct.

677. That included the charge of keeping it clean, and matters of that kind?—Just so; but I have nothing to do with that two guineas.

678. In answer to my learned friend, you said, there was some communication between you and Mr. Truman on the subject of what you were; I want to know what passed about that?—To tell you the truth I hardly know what I was myself; Mr. Truman, I understood to say, I was to be the superintendent of canvassers, or something to that effect, or else what money I had spent I must give up again.

679. When did Mr. Truman tell you you must be superintendent of the canvassers?—At the time the first account went in.

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680. Then how was it in all the other accounts you call yourself chairman of the committee?—It is very easily explained; the clerk puts it down; I did not put it down.

681. You returned it?—I did.

682. And you had been told by Mr. Truman that you were to consider yourself as superintendent of the canvassers?—Yes.

683. Why did you not direct the clerk so to describe you?—It is not a very prudent thing to tell a man what to put down; I cannot read or write; I did not tell him to alter it from the first insertion; all I wanted there was to see that the items were correct.

684. Notwithstanding Mr. Truman telling you of it?—Yes.

685. Did Mr. Truman call your attention to the mode in which you were described when you brought in these bills?—There were not five words explained between us.

686. What were these copies of the Bribery Act sent to you for; that you might keep quite clear of it?—Yes.

687. Did you study them?—Yes; it was carried out to the letter at our committee, and I hope at all others.

688. You told my friend, Mr. James, that this 15*s.* which was paid to you included, amongst other matters, cab-hire?—Just so.

689. What had you to do with cab-hire, if you were sitting in this committee-room the whole day?—I did not the whole day; I went round the Trinity district once or twice. Whatever is there I paid, and particularly two guineas I paid on the very day of polling, that we had no cabs, out of my own pocket; at one time, two guineas.

690. Did you happen in this District 10 to know how many other committee-rooms there were; did you learn from Mr. Truman?—In that particular district I think there were four round about the neighbourhood.

691. Give me the name of the landlord at this house, St. Paul's Tavern?—Thomas Corbett.

Examined by the *Committee.*

692. You said that it was yourself who fixed the sum of 10*s.* a day to be paid to the canvassers?—Ten shillings and seven shillings.

693. Did you fix those sums because you thought those would be the expenses incurred in going round the borough canvassing?—I did. The men looked to me; they could not afford to lose their time.

694. Then you consider you paid them merely for their day's work?—I did consider I paid them fairly; it was a short amount.

695. You do not think anything over their expenditure went into their pockets?—No, not anything.

[The Witness was directed to withdraw.

Mr. *George Seaman*, sworn.

Mr. *G. Seaman.*

696. Mr. *Phinn.*] HAVE you been in the room all the time?—A short time; in the early part.

697. While the witnesses were being examined?—One was being examined.

698. Who was that?—The gentleman here.

699. *Committee.*] And that was to-day?—Yes; this morning.

700. Mr. *Phinn.*] What did you hear?—I was here about 10 minutes, and heard the examination of Mr. Proom.

701. Did you do that on purpose?—No; I was only watching; I was told I should be required in a short time, and I came to ascertain that.

[The Witness was directed to withdraw.

Mr. *Phinn* objected to this witness being examined, on account of his having been present in the room.

The *Chairman* stated that the Committee were of opinion that the witness could not be examined.

Mr. *John Tanswell*, sworn; Examined by Mr. Serjeant *Ballantine*.

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702. WHAT are you?—A Solicitor.

703. Where do you live?—My house is at Nunhead, and I have chambers in the Temple.

704. Are you an elector of the borough of Lambeth?—I am.

705. I believe at the last election you voted for Mr. Roupell?—I did.

706. Were you upon the committee of which Mr. George Seaman was the chairman?—I was.

707. Where was that?—The Kentish Drovers, Peckham.

708. Can you give me, from your own recollection, the names of the other committee-men? Perhaps I can remind you about it; was Mr. Seaman the chairman?—Yes.

709. What was he?—A private gentleman.

710. Was he paid?—I cannot tell; I am not aware whether he was paid or not; I had very little to do in the executive department this time; formerly I was very actively engaged. All I heard was, Mr. Seaman said, "I have put your name on the committee; will you look in as you have half an hour to spare?"

711. Were you paid?—No, not a single sixpence; nor refreshments either.

712. Were you there regularly?—I looked in probably twice a day before I came to chambers; in the morning first, according to what time I could spare; and I looked in again in the after part of the day, four or five o'clock.

713. Do you know of the payments made at that committee-room?—I do not; I took no interest beyond looking in and writing the names of persons I knew on cards in that neighbourhood, soliciting their votes.

714. Mr. John Barker was clerk of that committee-room?—Yes.

715. Was Mr. Matthew Cork there?—Yes.

716. What is he?—A retired linendraper.

717. What was he at that committee?—He was a canvasser.

718. Did he sit upon the committee?—I have seen him in the room, sitting there as other canvassers were occasionally.

719. Was Mr. John Peacock there?—I know Mr. Peacock by name, but I do not recollect seeing him in the committee-room.

720. Was Mr. Longmead there?—He was a canvasser.

721. At that committee-room?—Yes.

722. Was Mr. John Beaseley?—Yes, I recollect his name.

723. Mr. Collins?—Yes.

724. Mr. Fishton?—Yes.

725. Mr. Brunton; he was messenger?—Yes.

726. And was Mr. Tanner the proprietor of the house?—I think his name was put on the committee.

727. His name was put on the committee?—I think it was, but the chairman had charge of all the papers and writings, or the clerk.

728. And that was Mr. Seaman?—Seaman was acting in a general way; sometimes canvassing, and sometimes presiding as chairman.

729. Was he the person who had charge of all the papers?—He and the clerk had charge of all the papers.

Mr. Serjeant *Ballantine*.] These are the pay lists from the Kentish Drovers; and in them appears "George Seaman: From the 19th of March to 20th inclusive, seven days, at a guinea a day, 7*l*. 7*s*." The Committee will observe that George Seaman was originally described as chairman, and then "Superintendent canvasser" is put underneath, and the other erased; then Mr. Matthew Cork, Collins, Fishton, Peacock, Longmead, have each of them 10*s*. a day, under the head of canvassers. "Mr. Thomas Tanner, the rent of the room, as agreed on, two or weeks, at three guineas a week, 6*l*. 6*s*." There are other names, which I do not consider it necessary to call to your attention.

The *Chairman*.] Are all the canvassers at a uniform rate of 15*s*.?

Mr Serjeant *Ballantine*.] There is a clerk at 15*s*.; Mr. Seaman, at a guinea a day; and five canvassers, at 10*s*. a day. Then there is in the last list, "Paid Mr. Beazley 5*s*. a day for bringing up voters." You may take it, that all these persons are charged for on the polling day inclusive, and that does not seem corrected in any other lists.

The

The *Chairman.*] The charge struck out was the day after the polling-day.

730. Mr. Serjeant *Ballantine* (*to the Witness*).] You do not know about these persons, whether they are voters or not; can you tell me?—I do not think several of them are. Do you mean the canvassers? That would appear on the register. I know several had no votes; they were under age.

731. Cork, Peacock, Langmead?—He is a youth.

732. The father?—Langmead has no father; he is a youth of 17 years of age.

733. Had you any communication with the central committee at all?—I did attend a meeting or two there.

734. Did you hear anything of an arrangement for the room, or an arrangement for the payment of the canvassers?—No, that took place between the secretary of the central committee and the chairman, Mr. Seaman.

735. You are not acquainted with any of the details which took place between Mr. Seaman and the other?—No, not at all; I was merely in a nominal capacity, promoting the election as far as I could, without interfering with my own profession.

736. You have known Mr. Seaman for some time?—Yes; I was engaged with him on the former election.

737. Did you offer Mr. Seaman's services to Mr. Wilkinson?—I think we were disposed to give Mr. Wilkinson our services.

738. That is not an answer to my question; I am dealing with you as an educated man; did you offer Mr. Wilkinson the services of yourself and Mr. Seaman, if he would pay an outstanding account?—Due to me; I did so.

739. What was the amount?—What was due from Mr. Harvey and Mr. Wilkinson together to me, was something like 10 *l.* throughout the whole election; commencing with Mr. Harvey——

Mr. *Phinn* objected to this evidence, on the ground that it did not affect the Sitting Members.

Mr. Serjeant *Ballantine* was heard against the objection.

740. *Committee.*] What time did this take place, that you offered your services?—On the dissolution of Parliament, when Mr. Wilkinson announced himself as a candidate for Lambeth.

741. Was it agreed to?—No; because I had not a written retainer, they have always avoided paying me; and when Mr. Harvey started, I stipulated that I should not give my services for nothing.

742. Was there any agreement between Mr. Seaman and Mr. Wilkinson?—No.

The *Chairman* stated the Committee were of opinion that this line of examination should not be further proceeded with.

743. Mr. Serjeant *Ballantine.*] Did you vote for Mr. Roupell?—Yes.

744. Do you know that Mr. Seaman voted for Mr. Roupell?—Yes, I believe we both went down at the same time.

745. Did you plump for Mr. Roupell?—Yes.

746. Did you see Mr. Seaman distribute the money to persons at his house?—On one occasion I saw him pay the canvassers, and he took receipts for their money.

747. Do you remember what amount that was?—I think it was 10 *s.* a day.

748. You did not see him obtain the money at all?—No, some one delivered a packet to him in the room, and he opened it.

749. *Committee.*] You saw him pay the canvassers 10 *s.* a day?—Yes.

750. Mr. Serjeant *Ballantine.*] I believe you communicated to Mr. Wilkinson by letter?—I did.

751. Did you receive an answer?—Yes, I received an answer directing me to wait on one of his committee.

752. You did not get the money?—They wanted me to wait till after the election.

Mr. *Phinn* objected to this evidence.

753. Mr. Serjeant *Ballantine.*] How soon after that did you place yourself in communication with any one of Mr. Roupell's committee?—On the following day

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or two, Mr. Seaman met me in Rye-lane, and said, "I am going on Roupell's committee."

754. When was it that you had any communication for the first time with any member of Mr. Roupell's committee?—Within a few days after the central committee was formed at Kennington.

755. Can you give me the date at all?—No, I cannot.

756. Who did you see?—I met Mr. Seaman in Rye-lane; he said, "I have put your name on the committee; will you assist us?"

757. I want to know that date?—I suppose it is about three days after I wrote to Mr. Wilkinson.

758. Had you communicated to Mr. Seaman the result of your application to Mr. Wilkinson?—

Mr. *Phinn* objected to the question.

Mr. Serjeant *Ballantine* was heard in support of the question.

The *Chairman* stated, the Committee were of opinion that the question ought not to be answered.

759. Mr. Serjeant *Ballantine.*] What is the name of the landlord there?—Tanner.

Cross-examined by Mr. *Phinn.*

760. Were you bribed by Richard Carroll, Barton, Cullen, Murphy, or Hogan?—I was not bribed by any one. My circumstances are such that I do not stand in need of a bribe; I should think it a disgrace to accept one; I did not take a glass of wine all the election that I did not pay for; I neither received nor do I expect a penny from Mr. Roupell.

761. What is Mr. Seaman?—He is a retired tradesman.

762. Did you find him at the committee-room early and late?—Yes, I saw him there when I came to town in the morning, and I always saw him when I went home.

763. Did you go there about five or six o'clock in the evening?—Yes.

764. And about what time in the morning?—Nine or half-past nine.

765. At nine or half-past nine you found him busy?—Yes.

766. And at half-past five you found him busy again?—Yes.

767. Do you think a guinea a day was under payment?—No.

768. Considering the man's position?—No, not at all; he is a very influential man in that neighbourhood; he has been auditor of the parish accounts, and I should say his services were worth a good deal more than that.

769. Is this house we have heard of a large house?—It is the most conspicuous house in Peckham; no house stands so well for election purposes as that.

770. *Committee.*] Is that the Kentish Drovers?—Yes.

771. Mr. *Phinn.*] Do you suppose three guineas a week was over-payment for the use of a room in that house?—We could scarcely get it for that; it was a favour to get it, for we paid three guineas a week during Harvey and Wilkinson's election.

772. And in addition to the use of the room, you were allowed to post the house from top to bottom?—Yes.

773. You know something of the contests in Lambeth, I believe?—A little.

774. Was there a good deal of dissatisfaction in Lambeth with Mr. Wilkinson's Parliamentary conduct?—I think there was; they seemed to say that the votes nullified each other, Mr. Williams's and Mr. Wilkinson's.

775. Do you recollect when Mr. Roupell was invited to come forward?—Yes; there was a large requisition sent to him.

776. Can you fix the date of it?—No, I cannot.

777. Was it about the 10th or 11th of March?—I cannot recollect.

778. You have been asked as to a communication; was that communication, whatever it was, made to Mr. Wilkinson before Mr. Roupell was in the field at all?—No, it was a very old claim of mine; I claimed it from Mr. Harvey; I entered on that election on the understanding that I was to be paid for my services; this one I did not. Formerly, when Mr. Harvey started, they sent to me to know if I would be chairman of the Peckham district. I said, "I cannot devote a sufficient time for that purpose." I said, "I will give up a portion of time

time if I get paid; I do not want to be paid as a professional man, but I shall devote three or four hours a day." I sent in a claim to Mr. Harvey, after his election, and because I had not a written retainer they repudiated it. I followed it up till Mr. Wilkinson was chaired on the Common; and I never had a penny from Mr. Wilkinson, simply on the account that I did not receive a retainer. Mr. *J. Tanswell.* 11 July 1857.

779. My question is a very simple one, as to the time when you made the communication, and nothing else?—I cannot fix a date to it.

Re-examined by Mr. Serjeant *Ballantine.*

780. Does looking at that letter enable you to fix the date (*handing a letter to the Witness*)?—Here is the 14th of March to my note; that must be about the time, you know.

781. *Committee.*] That was the time you first communicated it?—Yes; my note bears date the 14th of March.

782. Mr. Serjeant *Ballantine.*] I understood you to say you received nothing whatever for your time from Mr. Roupell?—No.

783. Is that so?—Yes; I did not receive a sixpenny piece, nor do I expect it.

Examined by the *Committee.*

784. I think you said that 10*l.* was owing to you from Mr. Wilkinson?—The two amounts together.

785. It was that which was refused to be paid by Mr. Wilkinson?—Yes.

786. Had that any influence with Mr. Seaman; receiving money as chairman of one of Mr. Roupell's committees; in his voting for Mr. Roupell?—No influence whatever.

787. You used the expression that Mr. Seaman's services were well worth a guinea a day, because he was a very influential man in the district?—Yes.

788. What do you wish to convey by the word "influential"?—He could secure a great number of votes; he had lived there many years and was respected, and could secure a great number of votes.

789. And his services were those of a person who was likely to influence voters?—Yes.

790. Mr. *Phinn.*] You say he was an influential man; how was his influence derived?—He has lived in great respectability; he keeps a very respectable house, and has held the office of auditor in the parish, and several other offices, being extensively known.

791. Did you mean any improper influence?—No.

792. *Committee.*] Is he a man of any property in the borough of Lambeth?—He is a retired man.

793. Has he many houses occupied by voters?—No; the house he lives in is a rented house.

794. He could not as landlord influence any voters?—No; he does not own a single house, to the best of my knowledge.

[The Witness was directed to withdraw.

Mr. *William Marrs,* sworn; Examined by Mr. Serjeant *Ballantine.*

795. DO you keep the public-house called the White Bear?—At that time. Mr. *W. Marrs.*

796. Are you yourself an elector?—No.

797. You have no vote?—No.

798. Was there a committee at your house?—Yes.

799. Previously to the election?—Yes.

800. Were you a member of the committee?—Yes.

801. Chairman?—I was one of the canvassers.

802. Were you chairman of the committee?—I was a canvasser; I was one of the committee.

803. *Committee.*] Were you the chairman?—No, a Mr. Phillips.

804. Mr. Serjeant *Ballantine.*] I see Mr. Phillips is clerk here, and Mr. Marrs

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Marrs chairman?—This is not my writing; it is Mr. Kay's, the clerk's, writing.

805. I call your attention to that, that I may not mislead you, in which Mr. Phillips is called the clerk, and you are called the chairman; I see this pay-sheet is signed by you?—I received the money.

806. In what capacity?—As the landlord of the house; I went up and received the money to pay the canvassers.

807. Did you receive it as the landlord of the house or the chairman?—No.

808. Who was the chairman?—Mr. Phillips.

809. Who was the clerk?—Mr. Kay; he made that sheet out.

810. What did you receive?—Ten shillings.

811. Was Mr. Nokes one of the committee?—One of the canvassers.

812. Mr. Richard Kay?—He was clerk.

813. Do you know whether Mr. Nokes and Mr. Phillips are voters?—I cannot possibly say.

814. Here is a second list signed by you also; you are put at the head here (*handing a document to the Witness*)?—

Mr. *Slade.*] It is canvasser and not chairman; that is a mistake of my friend's.

Mr. Serjeant *Ballantine.*] That is so.

Mr. *Slade.*] It is "William Marrs, canvasser," not chairman; "Landlord," written in pencil underneath.

815. Mr. Serjeant *Ballantine* (*to the Witness*).] You received these two sums: 13 *l.* 8 *s.* 6 *d.*?—Yes.

816. Whom did you receive that from?—From Mr. Truman, I believe.

817. Now, the sum of 10 *l.* 12 *s.* 6 *d.*, who did you receive that from?—From the same hand; it was examined by Mr. Truman and Hogan.

818. Then you paid yourself, and the other persons engaged in canvassing, out of it?—Certainly, I paid the money to the parties employed.

819. As canvassers and messengers, according to this list?—Yes, and more money than is in that list. Mr. Roupell has not paid me yet; I paid more money than I received from them. It is 4 *l.* 15 *s.* or 5 *l.*, over which they would not allow me. Rather than the committee should be broken up, I paid the money out of my own pocket, to keep my own customers together.

820. Tell me the number of persons who were on the committee; who were the committee?—I have not got the list before me; they are there.

821. It is headed "Committee-room"?—I cannot tell you till I have got my list.

822. Cannot you tell who the committee were?—I cannot tell the whole of them; I can tell a few of them; there is Mr. Mason, the baker; Mr. Cousins, the soda-water maker; these were gentlemen not paid at all.

823. There were other committee-men?—I had 12 or 14 to assist me in my business.

824. *Committee.*] Who were gentlemen who received no pay at all?—No pay at all; not in the least.

Cross-examined by Mr. *Slade.*

825. They were mistaken when they thought you were a voter?—I was not a voter.

826. They were mistaken when they said you were bribed by Mr. Truman, Mr. Barton, Mr. Hogan, and Mr. Murphy?—Yes; I cannot make out what they brought me here for; I believe I am told that I received 24 *l.* for bribery; here is a clear account for 24 *l.* 10 *s.* 6 *d.* for the money I received for my room, and I am 9 *l.* 17 *s.* out of pocket. If there is any bribery in that, I do not know where it is.

827. Your pay-sheet, like the others, was pretty well cut about?—Yes, too much so for me; if I had got the 9 *l.* 17 *s.* I should have been all right.

828. These entries in red ink were the deductions made on the charges?—Yes, there was no bribery attached to these sheets.

829. So that the 23 *l.* 17 *s.* got swept down to 13 *l.*?—Yes.

830. That was done by the gentlemen who are supposed to have bribed you: Mr. Truman and Mr. Hogan?—I suppose so.

831. They cut down your charges nearly one-half?—Yes.

832. Was Dr. Buck on your committee?—I believe he assisted me in every way he possibly could.

833. He is one of the most respectable men in the borough of Lambeth?—Yes; he lives two doors away from me, and has attended the whole of our family.

834. And Mr. Cram?—Of the "United Service Gazette."

835. Is he supposed to be a briber?—No; he volunteered his services on the committee; Mr. Simpson is the draper of the Westminster-road.

836. Did you know anything of the instructions to the canvassers and clerks at the committee-rooms?—Yes; I had a written form sent to me, cautioning me about all bribery whatever.

837. Is that it (*handing a paper to the Witness*)?—Yes, I had those as well, and independently of that, I had a letter, a circular, sent from Mr. Barton, cautioning me not to give a single halfpenny worth away in the world.

838. And you adhered to that caution?—I did so.

839. Have you been long in Lambeth?—The house belonged to me and my wife for 10 years; I have just sold it.

840. Have you ever seen another election?—I have seen them, but I have never mixed up in them.

841. I believe, on the present occasion, everybody came forward to vote for the Sitting Member?—It was the topic of our room at night who was the suitable party to be elected, and the majority all came to the one conclusion that they would have Mr. Roupell, and my own feelings were the same; and then I went up to Mr. Truman's, and solicited Mr. Truman for a committee-room at my place, which after a short time he granted.

842. This was the talk in your house before you formed the committee?—Yes.

843. The majority of your customers were in favour of Mr. Roupell, and that induced you to go to Mr. Truman, and ask if you might form a committee?—Yes, that is the truth.

844. In your judgment, did the parties who were paid so much a day for their canvassing do work for their money?—I am quite certain, if I had 24 more cabs, I could have kept them going; we left off at half-past two on the election day.

845. Did the men who were paid for the services do work for the money?—Certainly.

846. In your judgment, were they overpaid?—If they were overpaid, it came out of my pocket; it will come out of the 9 *l.* 17 *s.* 6 *d.*

847. You do not like that?—I do not like that at all. That is the reason I asked for my expenses before I commenced here to-day.

848. What did you charge for your committee-room?—£. 3.

849. Did Mr. Wilkinson offer you any money for the room?—£. 5 to placard the house with bills; and I would not have them at any price.

850. You allowed your house to be placarded with Mr. Roupell's bills?—Decidedly so.

851. Just look at that; I believe you charge 15 *s.* for washing down the bills?—And you see where the red mark is across it.

852. They did not bribe you then?—No; no mistake about it.

853. They cut out the 15 *s.* In point of fact did you, or not, find when you sent in these pay-sheets that the greatest possible care was taken that there should be no imposition or excess practised on the Sitting Member, or rather too much, as far as you were concerned?—You are quite right there; not having had anything to do with elections before, I paid the money out of my own pocket rather than have the committee-room broken up.

854. You say that Mr. Wilkinson's party offered you 5 *l.*; what was that offered for?—Mr. Hall, of the Lorimer Arms, and a gentleman of the name of Fenton, who was the managing man for Mr. Wilkinson, said, if I liked, they would bring me a 5 *l.* note, if I would have Mr. Wilkinson's bills on my house.

855. Not taking your house as a committee-room?—No.

856. Merely for posting the bills?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

857. Here is rent, 3*l.* 15*s.*; and another in the bill for 4*l.* 4*s.*?—There is 1 *l.* 4*s.* deducted off the 4*l.* 4*s.*, and there is 15*s.* rent off the 3*s.* 15*s.*

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858. Then you got 6*l.* for your rooms?—That is all.

859. *Committee.*] Two weeks?—More than two weeks. I did not make any objection.

[The Witness was directed to withdraw.

Mr. *Joseph Burgess*, sworn; Examined by Mr Serjeant *Ballantine.*

Mr. *J. Burgess.*

860. WHAT are you?—An oil and colour man, but now out of business.

861. Were you a member of Mr. Roupell's committee at the Shard Arms?—Yes.

862. You are not an elector?—No.

863. Have you got the pay-sheets from the Shard Arms; was a committee held at the Shard Arms?—Yes.

864. Who was the chairman of the committee?—A gentleman of the name of Angell.

865. Were the committee-men paid anything?—No, nothing.

866. What were you there; a clerk?—Yes.

867. You had 15*s.* a day?—Yes.

868. Francis Saunders, what was he?—A canvasser.

869. At 10*s.* a day?—Yes.

870. Is he a voter?—Yes, but did not vote.

871. J. B. Sinclair; what was he?—A canvasser.

872. At 10*s.* a day?—Yes.

873. A voter?—No vote.

874. John Freme, 10*s.* a day?—Yes; no vote.

875. John Roper, 10*s.* a day?—Yes; no vote.

876. Mr. William Ayres, 10*s.* a day?—Yes; no vote.

877. Mr. Alexander Webb?—No vote.

878. Ten shillings a day?—Yes.

879. And then Neal and Wilshire at the rate of 5*s.* a day?—Yes; they were messengers.

880. *Committee.*] Was Wilshire a voter?—Neither of them.

881. Mr. Serjeant *Ballantine.*] Were you in the habit of receiving moneys to pay these different canvassers?—Yes.

882. From whom did you receive them?—I received them from the central committee-room at the Horns, and I believe Mr. Truman generally paid me.

883. And you paid them over to the different canvassers?—Yes.

884. You have said they are not voters, many of them; how have you ascertained that?—I know by the register.

885. Lately?—At the time of the election.

886. These were all the canvassers?—Yes.

887. Who were the committee?—The committee consisted of seven.

888. *Committee.*] Have you got their names?—Yes; the first was the name of Weaver.

889. Mr. Serjeant *Ballantine.*] Did they occasionally sit there?—Yes; not from morning till night; they had no refreshment of any description; they were there occasionally.

890. It was your duty to superintend the canvassers, and to pay them?—Yes.

891. These are the sheets that you sent in (*handing the documents to the Witness*)?—Yes.

Cross-examined by Mr. *Phinn.*

892. You kept the account of the expenses; did you go to the central room to pay them?—I did.

893. I believe they looked pretty sharp after the items?—Yes.

894. Did they strike off any of your charges?—Yes; I am about 8*l.* out of pocket for cab-hire, and one extra expense or another.

895. Are the disallowances shown on the pay-sheet?—Yes, on this pay-sheet here.

896. I see you charge for a canvasser on the Tuesday, and that was disallowed?—Yes.

897. Did that man come and tender?—He was at the committee-room.

898. And

898. And as a canvasser they had said they would not allow him?—It was struck out.

899. I see they deduct 5 *l.* 7 *s.* 6 *d.* for cab-hire?—Yes.

900. On what ground?—I do not know; they struck it out.

901. And you paid it out of your own pocket?—Yes, I made myself liable, and I was obliged to pay it.

[The Witness was directed to withdraw.

Mr. *John Richard Major*, sworn; Examined by Mr. Serjeant *Ballantine.*

902. YOU are a clerk in the office of Mr. Harrison?—Yes.

903. You went to the office of Mr. Barton to go through these papers?—I did.

904. The papers are here, and I am about to ask one or two results.

Mr. *Phinn* objected to the question.

Mr. Serjeant *Ballantine* stated that the papers having been produced, instead of going through them and counting up all the items, there would be plenty of time between this and Monday to check them.

The *Chairman* stated he did not see any objection to that course.

905. Mr. Serjeant *Ballantine.*] Did you find a bill for the posting stations, amounting altogether to 105 *l.* 7 *s.* 7 *d.*?—Posting stations.

906. Did you find the number of committee-rooms actually used to be 42?—Yes.

907. Were there any more used for committee-rooms; they appear by the accounts to have been used as committee-rooms; these 42?—No.

908. Did you reckon the number of persons described as canvassers in the account?—Yes.

909. Did you find them to amount to 358?—To 351.

910. Were they persons who were paid canvassers?—Yes, paid canvassers.

911. I believe in using the expression "canvassers" you include one clerk and one messenger?—Yes.

912. They are both included in the 351?—Yes.

Cross-examined by Mr. *Slade.*

913. How do you arrive at this result of the 105 *l.*; that was the sum you stated?—Yes.

914. You did not work it off to see if it was right?—No, Mr. Barton's clerk showed that to me.

915. *Committee.*] You took his statement?—Yes.

916. Mr. *Slade.*] You did not work out that?—No.

917. How did you work out the 42 committee-rooms?—In the same way.

918. Where did you get your work; did you work out the number of canvassers?—From the receipts shown me by Mr. Barton's clerk; from the summary.

919. You did not work out that?—No, I counted them.

920. *Committee.*] Did you yourself go through these sheets, and count the number of canvassers?—Yes.

921. The only thing you took from Mr. Barton's clerk was the sum for posting stations?—Yes.

922. Mr. *Slade.*] Did you get this information from Mr. Barton's clerk?—From the papers.

923. From the pay-sheets?—Yes, all receipted.

924. In each pay-sheet did you include the messenger and clerk?—Yes.

925. And called that a canvasser?—Yes.

Mr. *J. R. Major.*

11 July 1857.

926. Can you tell the Committee how many canvassers there were, as distinct from clerks and messengers?—It is taking 84 off.

Mr. *Johnson.*] There were more in some committee-rooms; there were three messengers in some.

927. *Committee.*] Everybody receiving pay is included in the number 351?—Yes.

928. Mr. *Slade.*] You cannot distinguish between the canvasser, the clerk, or the messenger, or the door opener?—Yes; it only occurred in a few cases that I took in these messengers at all.

929. You are not going to give us a guess; you are an attorney's clerk; you were sent there for the purpose of making an accurate analysis of these accounts; did you make an accurate analysis, or are you guessing?—I did; I took each separately; I took the Queen's Head, Walworth, 13.

930. How many messengers?—I took two off there.

931. Are you sure there were two; have you got it down there, two messengers?—No; I have got down the list of canvassers and messengers, as stated in the heading.

932. Then you have not distinguished the canvassers from the messengers; you are merely guessing?—No; there is the number 13 included.

933. Including what?—Including the messenger.

934. Who are canvassers and who are messengers?—There are 13 down, if you refer to the bill.

935. You ask me to do what you were sent to do?—Yes.

936. You were sent to ascertain how many canvassers and how many messengers; you were to have a summary; have you a summary of canvassers?—Yes.

937. Let us have it?—Here is "Queen's Head, 13"; there is one messenger and clerk included.

938. Are you sure?—Pretty well sure.

939. Have you got any note of it?—No.

940. You have lumped them down as canvassers?—Yes.

941. You have taken everybody paid as a canvasser?—No, I have not.

942. How have you done it?—I counted it from their receipts.

943. As canvassers?—Yes.

944. And did you go through all their pay-sheets?—Yes.

945. Did you make any distinction between canvassers and messengers?—No.

946. Can you tell, except by guess-work?—I have taken one off from every committee-room.

947. Just show me your paper?—Yes (*handing the paper to the learned Counsel*).

948. According to that you have taken out every body, without distinguishing whether he is a canvasser or clerk?—Yes.

949. Did you attempt to see how many were voters?—No, I was not to do that.

950. Or how many voted?—No.

[Adjourned till Monday next, at Twelve o'clock.

Lunæ, 13° *die Julii*, 1857.

ROBERT INGHAM, ESQ., IN THE CHAIR.

Mr. *Frederick Randall Dickie*, sworn; Examined by Mr. *Cooke*.

Mr. *F. R. Dickie*.

13 July 1857.

951. WE want the pay sheet of the Surrey Canal Tavern; do you reside at Burdett-street, Walworth?—Yes.

952. Are you manager of the Manor House Tavern?—Yes.

953. You have had some experience in elections for Lambeth?—Plenty.

954. Who have you acted for on former occasions?—I was engaged partly on Mr. D'Eyncourt's election.

955. What year was that, 1852?—I believe it was.

956. Do you remember Mr. Roupell becoming a candidate for the representation of Lambeth?—I do.

957. Did you shortly after that attend a meeting at the central committee-room at the Horns Tavern?—Yes.

958. About what period of the election was that; what part of the month of March?—I think it was nearly the 14th of March; I am not certain about the dates.

959. Was that your first introduction to the election, or had you been acting at any place previously?—I did not attend any meeting before; I was engaged as canvassing clerk at Smith's.

960. What is Smith's?—A beerhouse.

961. Where?—Opposite the Horns Tavern.

962. How long before the period when you attended the meeting of the central committee at the Horns, had you been engaged at Smith's?—I cannot say.

963. About a week?—I cannot say for certain.

964. May it have been a week?—I only went there just in the evening; I am not quite certain whether I did attend Mr. Roupell's at the Horns Tavern.

965. Were you not at a meeting at the Horns Tavern?—At Mr. Williams' first meeting, and there I understood that Mr. Roupell was putting up, and I applied the next day for a situation.

966. The next day you applied to whom?—To Mr. Barker.

967. Who is Mr. Barker?—I believe he has something to do with the vestry.

968. Where does he live?—I do not know.

969. Where did you find him?—I found him outside the Horns Tavern next morning.

970. And you applied to be employed?—Yes; and he referred me to Mr. Smith's place; I spoke to Mr. Truman, a broker.

971. You found Mr. Truman, and by Mr. Truman's directions where did you go?—He told me he could not employ me that day; but said if I came up the next morning, he might find me something to do.

972. Did you find the next morning something to do?—Yes, over at Smith's; I was engaged by the party who had the management of Smith's room.

973. What sort of a person was he? Was he a tall or a short-sized man?—A middle-sized man, with full whiskers.

974. Was he taking an active part?—I think he was acting under Brooks.

975. Did you see Truman at Smith's?—I believe he was over in the same house.

976. Did you see Truman frequently during the election?—Yes; when I was passing backward and forward.

977. In the central committee-room?—Yes.

978. Is the Park Tavern the same place as Smith's?—Yes.

979. Did your employment continue till the election was over?—Yes, and two days afterwards; but I was never paid for it.

980. *Committee.*] Is it called the Park House Tavern?—The Park House Tavern.

Mr. *F. R. Dickie.*

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981. Because you said the Manor House Tavern?—That was where I was employed before.

982. Mr. *Cooke.*] After you had been at Smith's Park House Tavern, did you afterwards go to the Surrey Canal Tavern?—No; I afterwards went to the Horns.

983. After you got off the Horns, where did you go to then?—To the Surrey Canal Tavern.

984. About how many days were you at the Horns?—I was two days at the Horns.

985. And the rest of the time at the Surrey Canal?—Yes.

986. Had you a chairman at the Surrey Canal?—Yes.

987. Who was it?—Mr. Gilham, sen.

988. Was the son the landlord of the public-house?—I believe he was; his name was up.

989. Did he appear to act as landlord?—Yes.

990. Are the two Gilhams people who have votes?—They are on the register.

991. Were you employed in dividing the names on the register?—Yes, we had some books, and we took them out as we liked, just in the district in which it was.

992. Were the two Gilhams voters in that district?—Yes, I believe they are both in the Camberwell district; St. Giles's.

993. Was Mr. Lilley there?—Yes.

994. What is he?—A beer-shop keeper; he keeps the Duke of York.

995. Was the Duke of York a committee-room?—No; I know it was not.

996. Was it placarded outside?—Yes, about five or six days before the polling day.

997. As a committee-room?—No, not as a committee-room.

998. What was Lilley doing at the Surrey Canal Tavern?—He was on the list of committee-men, and employed as canvasser as well.

999. What number of persons had you on the list of the committee?—We had about 15, but I never saw more than four.

1000. What number of canvassers had you?—Five.

1001. Was John Burns one?—He was a messenger.

1002. Joseph Tredre, was he one?—He was a canvasser.

1003. Was the landlord one of the canvassers?—Yes.

1004. Was Henry Marsham?—Henry Marsham was put down, but he never acted.

1005. He got his money?—I believe somebody else got it.

1006. Who got that?—I understand Mr. Gilham, the chairman, got it.

1007. Mr, *Johnson.*] Do you know this?—Mr. Gilham was the chairman, and he was canvassing in the morning before he came to the committee-room, and I believe he substituted the amount.

1008. *Committee.*] He substituted his name for the defaulting canvasser?—Yes.

1009. Mr. *Cooke.*] James Lilley, what was he doing there?—A canvasser.

1010. Was he a voter?—Yes, but I am not certain.

1011. Do you remember, soon after you went to the Surrey Canal Tavern, a meeting in the committee-room one evening, when Mr. Roupell came there accompanied by Mr. Doulton?—And with Mr. Murphy; I do.

1012. Who were present in the room of your committee or canvassers, when those three gentlemen arrived?—When they came in there was Mr. Gilham, sen., and a gentleman of the name of Tarrant; he had nothing to do with the election; Mr. Tredre, Mr. Lilley, myself; and Mr. George Gilham came in immediately afterwards.

1013. Do you remember, on arriving, Mr. Roupell making any inquiry?—Yes.

1014. What did he say?—"How are you getting on, gentlemen, here?"

1015. Who answered his question?—Mr. Gilham, the chairman.

1016. What reply did he make?—He said, "We are doing our best; but this seems to be one of Wilkinson's strongholds, and his relatives have got a great deal of influence about here, and we have got very few houses open."

1017. On Mr. Gilham saying they had very few houses open, and that it was Wilkinson's stronghold, do you remember Mr. Doulton making any inquiry?—I could not swear it was Mr. Doulton; it was either Mr. Doulton, Mr. Roupell,

or

or Mr. Murphy who made the remark; I do not know the exact words made use of.

1018. As near as you can recollect?—It was to the effect that they had better have some more houses open about that neighbourhood.

1019. *Committee.*] One of the three said you had better have some more houses opened?—Yes.

1020. Mr. *Cooke.*] Did anybody make any remark on that?—Mr. Roupell told Mr. Murphy that he had better come down and engage all that he could.

1021. Did Murphy come next day?—He said he should come down and see what he could get up, and he asked the company generally whether they could recommend any house; and upon that, Mr. Lilley's house, the Duke of York, and the Surrey View, were recommended.

1022. Is that a tavern?—A beer-house; they were both beer-houses; and the next day Mr. Lilley's house, almost immediately after, was posted over; the Surrey View I cannot swear to.

1023. Do you know a house in Charles-street, Mellon Ground?—Yes.

1024. What is the sign of that?—The Duke of York; that is Mr. Lilley's.

1025. Do you remember, either on that evening when this conversation took place, or the next day, Gilham, sen., expressing any opinion as to their chance of success?—He made the remark that he thought they were short.

1026. When was that?—After the conversation.

1027. After the order to engage the houses?—Yes; he understood they were safe round about Lambeth; that was meaning towards Lambeth-walk.

1028. *Committee.*] Where did he say they were short?—In St. Giles's, Camberwell.

1029. But they were well enough off throughout Lambeth?—Yes.

1030. Mr. *Cooke.*] Do you remember Mr. Doulton saying anything as to what they were to do in polling that district?—He said they must bring all they could to the poll within the first two hours, for all the election generally depended on the first two hours.

1031. Of course, you every evening went to your own residence from the committee-room?—Not every night; I conducted the Manor House Tavern.

1032. But you had an opportunity of being about Lambeth?—Yes.

1033. From the observation you made of the houses placarded, about what number did you see placarded; Mr. Roupell's public-houses, 100 or so?—I should think there were more than 100.

1034. In that district?—Yes.

1035. *Committee.*] In what district?—The whole of Lambeth; this is only from observations I made going round.

1036. It was not in the district of Peckham Rye?—No; over the whole borough of Lambeth.

1037. Mr. *Cooke.*] You are not speaking of your own district?—No; all round the borough.

1038. Can you say 400?—I should not like to say any number whatever; it was merely a common observation walking through; I should not like to say for certain.

1039. This is your writing on the pay-sheet?—No.

1040. Look at the first list?—That is not my writing.

1041. Is that your name?—That is my name, but I will explain; a party of the name of Tredre had the gout, who was employed as canvasser; and it was agreed between him and I and the chairman, that I should go out canvassing, and that he should do the clerk's business.

1042. Is your name to any receipt of money on that pay-sheet?—No, it is not; it is on the first pay-sheet.

1043. Is not your name put down there?—Yes, but it is in his handwriting.

1044. Have you signed any pay-sheet?—I believe not; I signed his name in his place, and he signed mine, and we divided the money.

1045. How much did you get?—I think 10*s.* 6*d.* one week, or part of the week; 12*s.* 6*d.* the next; and then they deducted it off the next again; when there was no work to do, they gave low pay.

1046. You were not a voter?—No.

Mr. *F. R. Dickie.*

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Cross-examined by Mr. *Johnson.*

1047. Who gave the advice about the two first hours?—Mr. Doulton.

1048. Now, first, with regard to the pay-sheet you have in your hand; the amount is carried out which you were to receive week by week?—Yes, I believe it is.

1049. Opposite to your name I find the amount you were to receive?—Yes.

1050. I see you are put down as 10*s.*?—In one list.

1051. And 12*s.* 6*d.* for two days in another?—Yes.

1052. For six days in another, and three days in another?—Yes; there was one sheet destroyed of these accounts.

1053. Do I understand you to say, that you agreed to act in the capacity of canvasser, or as clerk, for the particular sums which appear against your name here?—No; Mr. Hogan, when I was with Mr. Gilham, at the central committee-room, said, "We do not know how much to give exactly, but it will be between 12*s.* 6*d.* and 15*s.*; somewhere about that amount."

1054. Then you received less than what you actually bargained for?—There was no bargain struck, but merely the remark made; it would be somewhere about the amount I expected, 15*s.*

1055. And you never received more than 10*s.* 6*d.*, and some weeks 10*s.*?—Yes.

1056. And you attended two days after the election, and made a claim for the payment of those two days, and that was struck off?—Yes.

1057. And you never received more than appears on this pay-sheet?—No.

1058. The arrangement and distribution between you and Tredre was acted upon between yourselves, unknown to the central committee?—It was.

1059. Did you know anything of Tredre?—No; I never saw him before I went.

1060. Do you know his handwriting?—Yes, I do; but I cannot tell his handwriting, because he can write so many hands; I should not like to swear to it.

1061. Have you the means of knowing that to be one of his numerous handwritings (*handing a document*)?—I think it is.

1062. But you would not swear to it?—No.

1063. Mr. Serjeant *Ballantine*] Do you swear it is his handwriting?—No.

1064. Mr. *Johnson.*] You say, after this conversation which took place, two houses, you believe, were opened?—Yes, only posting-houses.

1065. And you never saw but one of those two at all placarded?—No, I did not.

1066. And the expression used was that they had very few houses open in that district?—Yes.

1067. And that was in accordance with the fact at that time?—Yes; in fact, I hardly knew another house, besides the Surrey Canal, nearer than the Rosemary Branch, that was engaged before that conversation took place.

1068. And, as far as I understand you, no additional committee-rooms were opened afterwards in that district at all?—Not that I know of; I do not know whether there were or not.

1069. You are not a voter?—No.

1070. You say, in the first instance, that you went over to the house of Smith?—Yes.

1071. That was the house immediately opposite the Horns Tavern?—Right at the corner.

1072. At the Horns Tavern each of the candidates had their committee-rooms?—Yes.

1073. And we had the worst of the three; at the back of the house?—No; Mr. Roupell had the front of the house; he had the best of them.

1074. Were you ever in Mr. Roupell's committee-room at the Horns Tavern?—Yes, a dozen times.

1075. In the front of the house, or the back?—There was a private room where the committee sat, and the room where the bills and such like were distributed or given out.

1076. Which was the private committee-room, the front or the back?—The back room at the end of the house.

1077. Were not Wilkinson's and Williams's in the front?—It is all front; it is a regular angle.

1078. Was

1078. Was not that house itself so overcrowded that it was impossible for persons to find means of transacting business?—Yes.

1079. Was that the reason you went over to Smith?—Not that I know of.

1080. Was it not, in fact, in consequence of the crowded state of the Horns Tavern that additional rooms, which were requisite for the purpose, were engaged at Smith's?—I cannot tell you; I was not there.

1081. In the first instance you were engaged as clerk?—Yes.

1082. How long did you act there?—About four or five days.

1083. And nights too?—Sometimes up to 12 o'clock at night.

1084. What were you engaged in doing?—Making up the canvassing books.

1085. Which, I suppose, was necessary, with a view to the election?—Yes.

1086. What did you receive as clerk?—Seven shillings and sixpence a day.

1087. How many hours did you work on the average?—About 10 hours a day.

1088. And perhaps overtime?—Yes; I did not work for nothing.

1089. Then you received 7 *s.* 6 *d.* a day for 10 hours, and sometimes overtime?—Yes; 8 *d.* an hour overtime.

1090. Am I to consider that you were overpaid?—No, I think not; under, rather than over.

1091. *Committee.*] That was at Smith's?—Yes.

1092. Mr. *Johnson.*] Whether as clerk or as canvasser, you think your time was not sufficiently compensated by the payment you received?—I was satisfied, or I should not have kept on, because I had other things to do as well. I really was not satisfied with the last of it; the last three days, which were the hardest days, were knocked off half-a-crown a day.

1093. And the two days after the election you were not paid at all?—No; we were running about with the accounts, and were kept two days, and there was no compensation for it.

Re-examined by Mr. *Cooke.*

1094. You were kept two days trying to get your money that you had earned before?—Yes.

1095. There was no canvassing then?—No.

1096. You have been asked about the committee-room at the Horns; had not Mr. Roupell committee-rooms not only at Smith's, but at the Clayton Arms, and the Roebuck?—Yes.

1097. And at the house in the Oval?—That is the Clayton Arms.

1098. Had you four or five rooms round the Horns?—Yes, within a short distance.

1099. With regard to the Surrey Canal Tavern, where Lilley's place is, is that a district thinly peopled?—It is composed of houses and market gardens.

1100. Is it a thinly peopled district?—Yes; not like to Lambeth Walk.

1101. Not like a place where there is a public-house every other door?—No; but there are a good many beer-houses for the neighbourhood.

1102. You said you were paid 7 *s.* 6 *d.* a day; when did you get the 10 *s.* 6 *d.*?—When I changed my employment, and went as clerk.

1103. I thought you said the committee sanctioned your acting as canvasser, the other man acting as clerk?—No; our committee knew it; at least Mr. Gilham, senior, knew it.

1104. You have been asked about this man, Tredre; are he and young Gilham acquaintances?—Yes, I believe so; they were always thick together; like brothers more than anything else.

1105. Was the Shard Arms a committee-room?—Yes.

1106. Where is that?—In the Kent Road, leading towards Greenwich.

1107. That is close to the Surrey Canal, is it not?—It is close, if you go one way; if you go along the banks of the canal, it is about seven or eight minutes' walk; it is in the opposite direction, seven or eight minutes' walk on the other bank of the canal, near the Gas Works.

1108. If you walk along the canal, you get to it directly?—No.

1109. You told me that there was a private committee-room, and the main place, the other, was for bills?—Yes.

1110. Who did you find in the private room when you were there?—I have seen Mr. Truman there, Mr. Grove, Mr. Doulton, Mr. Barton, Mr. Murphy, and Mr. Hogan.

Mr. *F. R. Dickie.*

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1111. What were they doing there?—Talking and writing; in a business point of view I saw nothing more.

1112. Paying money?—Yes, they paid money in there.

1113. Did you receive your own money there?—I went up once for it.

1114. Was that for yourself?—For the committee-room.

Examined by the *Committee.*

1115. You have described an occurrence which took place at the committee-room in which you were sitting, when Mr. Roupell and his two friends came in, and made the inquiry, "How are you getting on"?—Yes.

1116. And the answer was that you were not getting on so well as you could wish in that district, St. Giles's, Camberwell, and it was ordered by Mr. Roupell, and one of his friends, that more houses should be opened in that district?—Yes.

1117. Was any intimation given by Mr. Roupell or his friends as to the nature of the houses to be opened; were they to be the houses of voters, or not?—Not the slightest; not that I know of.

1118. Did the two houses that were opened in consequence of this conversation belong to electors, or not?—One of them did.

1119. And the other?—I do not know about the other; Mr. Lilley's house; I will not be certain whether he was a voter.

1120. And they were engaged for the purpose of placarding the outside with Mr. Roupell's bills?—So I understood.

[The Witness was directed to withdraw.

Mr. *Thomas Morris,* sworn; Examined by Mr. Serjeant *Ballantine.*

Mr. *T. Morris.*

1121. I BELIEVE you are a mathematical instrument maker, living at West-street, Walworth?—Yes.

1122. Are you also an elector of the borough of Lambeth?—Yes.

1123. I believe you voted for Mr. Roupell at the last election?—Yes.

1124. Plumped for him?—Yes.

1125. Did you also vote for the election of 1852?—No.

1126. Were you acting chairman of Mr. Roupell's committee at the Bee Hive Tavern?—Yes.

1127. Was that at Walworth?—Yes.

1128. I believe that is a house where you are very well known?—Yes.

1129. Who was it asked you to become chairman?—I cannot exactly remember who asked me to become chairman; I was asked by some one to take the chair *pro tem.*

1130. And you did take it for the whole time before the nomination?—Yes.

1131. Was a gentleman of the name of "Whitty" or "Willy" your deputy chairman?—Mr. Whitty was not deputy chairman, but he was with me throughout the election; he called himself deputy chairman.

1132. Mr. Whitty, or whatever he was, called himself deputy chairman?—Yes.

1133. And you called yourself chairman?—They called me chairman; I do not know whether I called myself so.

1134. When they called you chairman you answered to it?—Yes.

1135. You recognised the position?—Yes.

1136. As chairman, what did you do; sit in the chair, or what?—Sometimes I sat, and sometimes I stood.

1137. Were you there all day?—Yes.

1138. Who formed the committee besides yourself and the deputy?—I cannot remember all the names, but some of them.

1139. Was there a man of the name of John Childers, of Hen and Chicken-lane?—Yes.

1140. Is he a voter?—I believe he is; I am not sure.

1141. Mr. Randall?—Yes, Mr. Randall was one; I believe he was one part of the time.

1142. Was he a voter?—Yes, I believe he was a voter; he was a man of some property in Hen and Chicken-lane.

1143. Mr. Scott?—Yes.

1144. Richard

1144. Richard Pearson?—He was one of the committee, but he was a stranger to me.

1145. George Shearman?—Yes.

1146. And Mr. Prescott?—Yes.

1147. You formed the committee, and your duties were to sit at the house and receive the reports of canvassers and others; was that so?—Yes.

1148. Were you paid?—Yes.

1149. How much?—I was paid 15*s.* a day at first, and afterwards it was less; 10*s.*, I think.

1150. For how many days at 15*s.*?—Four or five days, or three or four; I cannot charge my memory exactly now, but it was something of that sort.

1151. Just look at these, and they will remind you; see whether you were not paid 15 days altogether at 15*s.* a day (*handing some documents to the Witness*)?—I do not know anything about that; I was on 15 days.

1152. Look at your lists and see how much you received (*handing documents*); can you tell me now how much?—Here is my name three days in the first; five days in the second, and three in the third; making eleven altogether.

1153. Did you receive 15*s.* a day for the whole of that time?—I do not remember receiving 15*s.*; I thought I was cut down to 10*s.*; I am not certain, but I thought so; I am not aware of this.

1154. It is a difference of a third, you know; you are a mathematical instrument maker?—Yes, it is down there.

1155. I suppose what is down here is true; there was nothing untrue put down by you?—No, I do not seem to have signed this last sheet; my signature is not on the last sheet.

1156. You did not sign for more money than you got?—No.

1157. Now, I will show you one you did sign; I think you will find you did sign this duplicate?—My name is not here.

Mr. Serjeant *Ballantine.*] I beg to call the attention of the Committee to the 18th, 19th, 20th, 21st, and 23d of March, and I think it will save me asking many questions if you find Mr. Morris charges for five days, at the rate of 15*s.*; and you will find that Mr. Whitty, the deputy, charges at the same price, and that all the others of the committee charge at the rate of 10*s.* 6*d.*; so that you will find that all the committee-men were paid.

Mr. *Johnson.*] They are described as canvassers.

Mr. Serjeant *Ballantine.*] I may venture to call your attention also to the 24th, 25th, 26th, 27th, 28th and the 30th of March, and in all those you will find 15*s.* charged for the chairman, and deputy chairman; and all the other committee-men are receiving their 10*s.* 6*d.* (*To the Witness*) Then just let me ask you, in addition to the paid committee-men, had you a body of canvassers attached?

Witness.] Yes; we were all canvassers; we were paid as canvassers.

1158. In addition to the committee-men, had you not a body of canvassers?—We had some canvassers.

1159. Had you not, quite independent of those who were called committee-men, a body of men acting as canvassers, and being charged for as canvassers?—Yes, they were not on the committee, certainly; the canvassers who were paid as canvassers were not on the committee.

1160. In addition to those whom I have named, and who are charged for as committee-men, there was a body charged for as canvassers?—Yes, extra canvassers, decidedly.

1161. What were they charged at?—In one account they had 10*s.*, and afterwards 7*s.* 6*d.*

1162. You had about nine of them, had you not?—No; we had six at first, and then we cut two off.

1163. Had you a clerk and messenger as well?—Yes.

1164. Here I have got your own list. You have Morris, Dashwood, Richard Robertson, E. Holden, William Walker, Robert Robertson, Jenkins, and Dowell; some of them at 10*s.*, and some of them at 7*s.* 6*d.*?—Yes.

The *Chairman.*] What is the total number?

Mr. Serjeant *Ballantine.*] Eight is the total number of canvassers, and there is a messenger of the name of William Hobb. You will find in those lists that the "Chairman" is erased, and the "Deputy chairman;" at all events there

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there are two erasures, and the word "Canvassers" put in in a different ink and handwriting. (*To the Witness*) Now, tell me in what state did you send out these bills; had you erased your name as chairman when you sent them out to the central committee-room?

Witness.] Erased my name?

1165. That is the question I asked you?—I never erased my name, that I remember.

1166. Look at the bill?—If I did I do not remember it.

1167. That is why I want you to look at the bill; look at the top, where your name ought to be; the other corner?—That is not my handwriting.

1168. What was it before?—I do not know.

1169. Do you swear you do not know?—Yes, I will; I may guess what it was.

1170. Was that word originally in your handwriting?—No; it appears to be in the handwriting of Mr. Reed, the secretary.

1171. In what state was it when it went out from your house?—I do not know.

1172. Was that erased by your authority?—I had nothing to do with it.

1173. Do you know who did erase it?—I do not know.

1174. Did you never see it before?—No.

1175. *Committee.*] I thought you said you knew whose handwriting it was in?—Yes; this "E. Morris," I believe to be the handwriting of Mr. Reed.

1176. Mr. Serjeant *Ballantine.*] Can you tell me at all in whose handwriting the word "Canvassers" is?—No.

1177. Were you ever told that you must not represent yourself as a paid committee-man?—No.

1178. Were you ever told by Truman that it would not do to appear as a paid committee-man?—No.

1179. Can you tell me why "Chairman" has been erased, and another word put in?—I really don't know anything about it.

1180. Does it take you by surprise?—No, I am surprised at nothing.

1181. You have been so long a committee-man; now I will know, when you signed that bill, was it in the state it is now, or not?—That I don't know.

1182. Just show it to the members of the Committee; you know you are an experienced man; I ask you have you ever seen that bill before?—I do say I have seen the bill before, because my handwriting is to it.

1183. Have you not, within the last 24 hours, had your attention called to that very bill?—Yes, since I have been here.

1184. You know that is an evasion. Independently of when you were here, has not your attention been called to that bill?—To that bill, within 24 hours?

1185. That is just what I ask you?—No.

1186. When did you see it last?—Just now.

1187. I am delighted to hear you going on in this way. I ask you, before you were in that chair, when did you see that bill last?—When I put my hand to it, not since.

1188. Do you mean that you have not seen it since?—I have not.

1189. Then you recollect putting your hand to it?—Yes.

1190. What state was it in then?—I cannot say what state.

1191. *Committee.*] Have you not seen it from the day you signed it till this morning?—No, on my oath.

1192. Mr. *Ballantine.*] Have you been asked any question about it?—No.

1193. Not about that matter?—No.

1194. There are two other sheets erased in the same way (*handing documents*)?—"Canvasser" is there plain enough; there is some alteration here.

1195. Can you tell me anything about this; I see there is "Thomas Morris;" there has somebody been taking a liberty with you?—Where?

1196. Give a look at the left hand corner; you were called something there?—It looks like hieroglyphics; this is not writing.

1197. Cannot you read them for us?—No.

1198. Have you no notion what that was?—I suppose it was "Chairman."

1199. How came it out?—I don't know; I did not put it out.

1200. Why was it taken out?—I don't know.

1201. Did they scratch out your description without consulting you?—Yes.

1202. When

1202. When do you think it was done?—I cannot tell; I cannot tell more than I see and feel.

1203. Did you sign it in that state?—I cannot remember that.

1204. Your attention has been called to it?—I did not think it worth while.

1205. What did you not think it worth while?—To bother about these things; our clerk took our sheets to the central board, and brought back the money.

1206. And when you got the money you did not make any further inquiries?—No.

Chairman.] Those two lists are applicable to the sam things?

Mr. *Ballantine.*] Yes, they are counterparts.

Chairman.] Look at those two papers; you are put down there twice, "Thomas Morris," the 20th and 21st; there appears to be a double charge as for the same day; do you know how that is; in one of these two, which applies to the same date, he is called canvasser without any correction at all?

Mr. *Ballantine.*] That is what we call a duplicate, on which we shall have to observe presently; we have our theory about it. There is some erasure in the list, and there is "Chairman" and "Deputy chairman" signed at the bottom of the list. The names of William Witty and Morris are signed at the bottom as chairman and deputy chairman.

Mr. *Johnson.*] All this is being taken on your statement.

Mr. *Ballantine.*] It is your own document.

Mr. *Johnson.*] If you put it in the form of question and answer, I shall then know what to do with it. In none of them have I seen the words "Deputy chairman" at all.

The *Chairman.*] "Thomas Morris, chairman," and "Reed, clerk," is on this one.

Mr. *Johnson.*] So I thought.

1207. Mr. *Ballantine* (*to the Witness*)]. Were there expended at the Bee Hive, where you were chairman, 70*l.* 8*s.* 5*d.*?—I don't remember the sum; but it was not anything like that.

1208. Look at your sheet?—I cannot remember these things.

1209. Was the Bee Hive a beerhouse or a licensed house?—A licensed house.

1210. Do you know the Duke of Suffolk?—I know the house.

1211. How near is that to the Bee Hive?—I cannot tell.

1212. How long would it take you to walk; two minutes?—I should not like to do it in two minutes.

1213. Is it close by?—About a quarter of an hour or 20 minutes I should be doing it.

1214. It is in Walworth?—Yes.

1215. Then there is the Canterbury Arms on Walworth Common?—No; it is near the Kennington-road.

1216. And there is the St. Paul's Tavern, Walworth Common?—Yes.

1217. Were they all open?—I don't know.

1218. Then there is the Pilgrim, Walworth Common?—Yes; but I don't know the place.

1219. The Jolly Sailor?—I don't know the place.

1220. The Queen's Head?—I know the Queen's Head in Amelia-street.

1221. The William the Fourth?—Yes.

Cross-examined by Mr. *Johnson.*

1222. I believe the district where you were was one of the most populous districts of the borough?—I believe so.

1223. The most thickly-populated, and the greatest number of constituents there?—Yes.

1224. Did you yourself canvass extensively?—Yes.

1225. For how long a time?—I was two days.

 1226. For

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1226. For how long each day?—Four or five, or six hours.

1227. You carry on a business, as I understand?—Yes.

1228. Of a mathematical instrument maker?—Yes.

1229. Where do you reside?—No. 8, West-street.

1230. Let me ask you how many committee-men had you in all, attending at your committee-room?—I think in the first instance there were six or seven, and then we had to strike two or three off; we found we had got too many.

1231. Was Childers one?—Yes.

1232. Were there not others, gentlemen resident in the neighbourhood, who attended as often as they could in your committee-room in that capacity?—I don't know any gentleman who attended in that capacity; none but our committee that I know anything about.

1233. You say you canvassed yourself; all the other persons whose names you have given in that list, were they employed also in canvassing?—Every one of us canvassed.

1234. Whatever name they are called, they were actually employed in that occupation from day to day?—The fact is, when the canvassers who were called canvassers had done their work we went over the same ground to see that they had done it rightly; I think there are near 800 in our district.

1235. You attended from day to day the number of days that are mentioned here as having been present at your committee-room?—Yes.

1236. Looking at the list that you signed as president or chairman, whichever it was; any of these; here is one in your own handwriting, "Thomas Morris"; is that the only one you signed (*handing a document*)?—This is my handwriting.

1237. And is that your signature at length as well?—This is my signature.

1238. Here is another, "Thomas Morris," over the receipt stamp?—Yes, that is my signature.

1239. Do you remember when first you began to act; was the 20th the day you began?—I cannot remember; I rather think it was the 18th or 19th.

1240. Do you remember whether you began on the 18th?—I don't.

1241. The 18th or 19th; have you any memorandum by which you could ascertain?—No.

1242. Referring to this, can you tell whether you began to act on that committee on the 18th of March?—It was on Tuesday we commenced.

1243. Did you receive the money yourself which appears on this receipt to have been received?—No, I did not receive anything.

1244. The practice was to send in all those pay-sheets once a week, on the Thursday?—Yes.

1245. Then on the Friday they were audited, and the money received by some one?—Yes.

1246. When the money was received the receipt was signed by persons having authority to do so?—Yes.

1247. Two of those pay-sheets appear to be signed by yourself?—Yes.

1248. Did you yourself, having received that money, pay it to each of the persons whose names are mentioned here, according to the time, the amounts carried out against these names?—It was paid in my presence.

1249. Was anything more paid than appears on these pay-sheets?—Nothing to my knowledge; I don't know of anything.

1250. In your district committee did you appoint these persons to act as canvassers, or other persons?—Partly myself.

1251. But the committee in that district appointed the particular persons to act in that district, did they not?—Just so.

1252. Were each of these persons whose names are mentioned as employed, did they every one do the work that was required of them for the payment they received?—All the names that are down there.

1253. In your judgment, were any of them overpaid for the work they did?—No, I should think not.

1254. Can you tell me whether the fact was so, you have mentioned two or three who were voters?—Yes.

1255. Was any distinction made in the employment of persons at all, or did you select the persons whom you thought the most competent to discharge the duties of the office?—We did not select any one in particular, or we should not have selected any.

1256. *Committee.*] Were any of them non-voters?—I don't think either of the canvassers were voters.

1257. Did you not say half of them were not voters?—Yes; I am speaking to the best of my recollection.

1258. Mr. *Johnson.*] As I understand you, all of those employed except yourself and Mr. Whitty did each of them receive the same amount of payment?—Mr. Whitty received, in the first instance, the same as myself, afterwards he was cut down.

1259. Did the canvassers receive the same amount, the same ratio of amount in each week, or whether it varied from week to week?—There was an alteration; we received more money. I thought I was reduced, but I found I was not. They were reduced after about a week; instead of receiving 10 *s.* 6 *d.* they received 7 *s.* 6 *d.*

1260. Were they all reduced alike?—Yes.

1261. Who is Mr. Whitty; what is he by profession?—I believe he is a civil engineer.

1262. Does he reside in your neighbourhood?—Yes.

1263. I see that Mr. Whitty did receive 10 *s.*?—He was reduced afterwards.

1264. You were under the impression that yours was?—Yes, but I could not charge my memory; I have made a mistake; I have not brought any memorandum with me; what I state is to the best of my recollection.

1265. Did you engage the clerk, or who did?—You may say I did; I asked him to be clerk, and he was clerk.

1266. You agreed with him the amount of remuneration that he was to receive?—I did not; I did not know what he was going to have.

1267. Whatever he was to have you paid him, and that is all you know?—Yes, he was paid by my signature and by my authority.

Re-examined by Mr. *Ballantine.*

1268. How is it that if you are all canvassers, that one half of you are called committee-men, and the other half canvassers?—The committee-men were persons appointed to look after the business generally, to look after the papers and books, to see to the districts, and to send people to the various districts and various channels, to go and look after the parties, and who they voted for.

1269. How many days did you canvass?—Two days.

1270. And you charge 11 days?—Yes, yes, but we were looking after the other canvassers when we were not ourselves.

1271. How did you look after them?—By looking after their accounts and arranging matters, and sending them through various districts.

1272. You were there to receive the reports of the canvassers?—Yes.

1273. You do not call that being a canvasser?—Not at that moment.

1274. That was your employment for nine days?—That is it.

1275. Do you call that being a canvasser; you know what election matters are?—I do not know; I am not a tradesman while I am here; I do not follow my own business; I should think I was a canvasser whether I went out or not.

1276. Were you not attending to the mathematical shop at the time?—I do not keep a shop.

1277. A house?—I make them.

1278. Did you go on making them while you were this committee-man?—I did not do it there.

1279. Did you do it at your own place?—How could I, when I was at the Bee Hive?

1280. Were you at the Bee Hive the whole time?—Yes, pretty nearly all.

1281. The whole time?—I do not say for an hour or two, when I can get away.

1282. You say there were 800 people to be canvassed in your district?—I said I thought about that number.

1283. If my calculation was right, there were 14 people to do it, including the committee-men, and 11 days?—There were only 10 canvassers at last.

1284. Were there not other committee-rooms with canvassers and paid committees within that same district?—Yes, I believe so.

1285. You know there were?—I did not go into one of them.

1286. Do you not know that there were other committee-rooms with paid committee-men

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mittee-men and paid canvassers within that district?—I believe so; it was not my business to run into other committees.

1287. How many?—I do not know.

1288. How many do you think?—I was not chairman and clerk too; I could not keep all that committee in my head.

1289. Allow me to remind you that you were superintending the labours of the canvassers; did you not know that there were other committee-rooms and canvassers in your district?—No, that was not my business.

1290. *Committee.*] Did you know that?—I knew there were some, but I did not go into one of the houses.

1291. Mr. Serjeant *Ballantine.*] How could you direct the labours of your canvassers unless you knew something of the canvassers attached to the other committee-rooms?—We had books sent from the central board.

1292. Having books, were there other paid canvassers and paid committees in the district?—Yes.

1293. Were there five?—I believe there were; it was not my place to run after other committee-rooms. I had enough to do in my own place.

1294. Would there be at least 60 committee-men and canvassers attached to those five?—I cannot answer that question.

1295. Do you believe there would be 60 committee-men and canvassers attached to those five?—I cannot answer that question.

1296. You know that each had a staff?—Yes.

1297. And they were to work the 800, were they?—I believe there were nearly 800 in my own district of the Bee Hive.

1298. *Committee.*] Do you mean to say there were five other committees, and that you had under your charge the 800 men that you spoke of?—I believe it was 800 that we canvassed at our own place.

1299. At the Bee Hive?—Yes, I am not alluding to any other room, or any other place.

1300. Do you believe the 800 were within your proper charge of the Bee Hive?—Yes.

1301. And in the charge of no other committee-room?—No; our committee-men took that district, and that district was pretty nearly 800.

1302. And that was not in the charge of any other committee-room?—The number of voters I allude to, 800, or nearly 800, was in our own canvassing.

1303. In sole charge of your own committee-room?—I believe so.

1304. Canvassed from the Bee Hive?—Yes.

1305. Mr. Serjeant *Ballantine.*] You have mentioned the number of 800; do you mean that other five committee-rooms, with their staff, were not engaged on the 800 as well as yourself?—Not that I am aware of.

1306. Do you know either one way or other?—Our books told us that they amounted to nearly 800 in the Bee Hive district.

1307. *Committee.*] The books sent down to you from the central committee?—Yes.

1308. Did the books sent down to your committee specify who you were to canvass including the 800 voters?—Yes, in a certain district.

1309. Mr. Serjeant *Ballantine.*] Were you not the same central committee for that district?—We might be called a central committee.

1310. And all the others were subordinate committees to you, were they not?—Not at all.

1311. Did you communicate with them?—No.

1312. Not at all?—No.

1313. Did they make any reports to you?—No.

1314. None of them?—No. All that they did was to come and look at our general list; we had a general list at our committee-room, and they made reference to our committee-room, which they called the central room, to get information from the different lists; because we had the general list of the whole borough.

1315. Were those other five committee-rooms within that area which comprised the 800 voters you spoke of?—No.

1316. Any of them?—I had nothing to do with any other committee but my own.

1317. Were any of the committee-rooms you have spoken of on the same area which included the 800 voters?—I have answered that twice.

Examined by the *Committee*.

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1318. In these lists you are all returned as canvassers?—Yes.

1319. How could you be paid as committee-men, if you are all returned as canvassers?—I do not know.

1320. You are all returned as canvassers?—We did all canvass.

1321. Then you have nobody paid as committee-men?—We were canvassers and committee-men both.

1322. Do you not know it was necessary that some of you should stay at home to keep the canvass books?—The clerk did that.

1323. Did you yourself do that?—I saw that he did do it.

1324. Were you all out canvassing at one time?—No.

1325. Some of you had to stay at home to receive the reports from the canvassers?—Yes.

1326. And you took it in turn to go out as canvassers?—Yes.

1327. In fact you consider you were all paid as canvassers, and that you all worked in turn as canvassers, some staying at home receiving the canvass books while the others were out?—Yes, that was exactly the position.

[The Witness was directed to withdraw.

Mr. *William Buckland*, sworn; Examined by Mr. *James*.

Mr. *W. Buckland.*

1328. WHAT are you by business?—An Estate Agent.

1329. Are you a collector of rents?—I am.

1330. Do you collect many rents in the neighbourhood of Walworth?—A great many.

1331. How many in Walworth alone?—Perhaps 50 or 60.

1332. More than that in Walworth?—Some are in Camberwell; in Camberwell and Walworth it is more.

1333. In Camberwell alone it is about 200?—No, you are wrong; about 100.

1334. Did you act as chairman of what was called the committee at the Duke of Suffolk, in Randolph-street, Walworth?—I did.

1335. Who appointed you?—I agreed to be chairman there at the time of the preliminary meeting at the Horns; there was a preliminary meeting called before Mr. Roupell put up, and I was asked if I would act as chairman, and I did.

1336. Did you form the committee?—I did.

1337. Who were on that committee?—You have the names there; I have kept no memorandum; if you will furnish me with a list I will tell you.

1338. I have given you what you say will enable you to tell; I cannot do more; had you any?—Yes, about 14 on the committee.

1339. Any canvassers?—Yes, eight or nine.

1340. Paid?—Paid canvassers; there were several others; I undertook the whole of the district; perhaps I could explain it better than if you were to ask me. When I undertook to form the committee in that district, I was not to be interfered with, but to employ who I liked, and to engage who I liked; I undertook it all on my own account, and I employed what canvassers I thought proper, and what messengers and other persons were necessary to carry out that immense district of 2,000 voters.

1341. Then you had a district which comprised 2,000 voters?—Yes.

1342. How many other committee-rooms had you there?—None; that was the only committee-room I had.

1343. Which district?—The third.

1344. You charge for two?—No, I had two posting-houses there.

1345. I take this first receipt: "March 20th, 1857. Received of central committee-room of Roupell, 15 *l.*"?—That is right.

1346. Are there any particulars for that payment?—The accounts were not furnished then; I received this on account.

1347. Who did you receive this from?—The central committee; from Mr. Truman; he was cashier.

1348. Is this the first account you furnished; having received 15 *l.* on account, that is the same day as the receipt?—That is the first account.

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1349. Is it not the same date as the receipt?—The account was not given in then.

1350. What is the date of that?—The 13th of March up to the 19th.

1351. And your receipt for payment was the 20th of March, 15 *l.* on account?—I think that account is 18 *l.*; that is including the whole of the expenses.

1352. Be kind enough to tell me how many members of the committee you had?—There were 12 or 13 of the committee.

1353. How many canvassers?—There were about eight regular canvassers, and a clerk.

1354. What were the committee paid?—Nothing.

1355. What were the canvassers paid?—From 7 *s.* 6 *d.* to 10 *s.*

1356. How was it your committee were not paid?—It is unusual to pay committees.

1357. Was a Mr. Fairfax on your committee?—He was a canvasser.

1358. Was he a voter?—No, he had not a vote; I do not think his name is on the register.

1359. It is Thomas Fairfax, Bedford-street?—Yes.

1360. Does he keep a beerhouse?—Yes.

1361. Then he is a voter?—I did not know that he was or not; the licence was in his wife's name, because he has been to the Crimea.

1362. You took his house?—Yes, as a posting-house.

1363. Was he a paid canvasser as well?—I gave him so much for his house, and for canvassing.

1364. How much?—Two pounds or three pounds for the whole of the election; that was for having his house posted with the bills, and canvassing for us.

1365. Did you canvass him for his vote?—I did not.

1366. Who did?—He did not want canvassing.

1367. Then Fairfax was a paid canvasser, and had his house paid for besides?

The *Chairman.*] He does not say that; he says he was paid 2 *l.* or 3 *l.* for both services.

1368. Mr. *James.*] We will just see; was he not paid as canvasser, and have you not charged the rent of his house 3 *l.*, besides the payment for a canvasser?—Certainly not.

1369. That is the rent of his house there charged?

Mr. *Slade.*] What is the name of his house?

Witness.] The Plasterers' Arms; I do not see it here in this account.

1370. Mr. *James.*] For the Plasterers' Arms, 2 *l.* 10 *s.* was paid to him?—Yes, it is charged 2 *l.* 10 *s.*

1371. What is that for?—That is including his canvassing.

1372. Just look in your own account, and see if you have not charged for his canvassing besides?—It is not charged here; six canvassers are charged here.

1373. You have not?—No.

1374. How much did you receive altogether?—I do not know.

1375. Forty-nine pounds six shillings?—They struck a great deal of that off; I lost money by that.

1376. Everybody who comes here appears to have lost money?—I lost 28 *l.* by it. I wish I had never seen the election.

1377. Did you expect to make money by it?—I always entertain these things as matters of business.

1378. What do you expect to be paid?—What is reasonable.

1379. What did you charge altogether?—I think somewhere about 60 *l.*; here is 30 *l.*

1380. Have you not had 90 *l.*?—No; 30 *l.* and 32 *l.*; that is only 62 *l.*; and 15 *l.* is 77 *l.*

1381. How much did you claim?—I claimed 28 *l.* 2 *s.*, more than I have ever got; I hope I shall, though.

1382. Do you expect to get it?—I do; it is owing to me.

1383. When this petition is over?—I do not know.

1384. You expect to have it?—It is coming to me.

1385. Did you apply to Mr. Howell about a committee?—No; Mr. Howell applied to me.

1386. Did

1386. Did you say you wanted any money; 40 *l.*?—No; not 40 *l.*

1387. What did he offer you?—He wanted me to name a sum.

1388. And you treat these things as matters of business; what did you name?—He wanted to know what it could be done for; what I could use the interest of the district for to have the votes split for Mr. Roupell and Wilkinson. There was no particular sum named; he said, "Would 60 *l.* be taken."

1389. *Committee.*] When was that?—Mr. Howell applied to me on Mr. Roupell and Mr. Wilkinson's account.

1390. Mr. *E. James.*] You entertained it as a matter of business?—No.

1391. What did you say?—It was merely talk; and then he sent Mr. Fenton to me, and Cape spoke to me on the matter.

1392. Who did you see?—I saw a Mr. Fenton and Mr. Howell.

1393. To split the votes?—Yes.

1394. Did you split your votes at all?—No.

1395. You kept them for Mr. Roupell?—We did not entertain it; we kept them for Mr. Roupell.

1396. You mean by that, the votes of your particular district?—Yes.

1397. You kept them for Mr. Roupell?—Yes.

1398. Did you not say that for the sum of 60 *l.* you could get the votes?—No.

1399. Who mentioned that?—Mr. Howell.

1400. You did not entertain it?—No.

1401. Did you ask for it?—No, I did not ask for anything.

1402. You treated it as a matter of business?—It was brought to me in that sort of manner.

1403. You would not split your votes, but you kept them for Mr. Roupell?—They held out that inducement, but it was not entertained.

1404. Did you plump your votes principally for Mr. Roupell?—They were principally plumpers in my division, and I did not interfere with anybody else.

1405. Did you tell Mr. Howell that the chairmen would want 10 *l.* apiece?—No, I did not tell Mr. Howell what they would want; he merely held out the inducement whether I would split the votes, and get the other chairmen to divide their interest with Mr. Wilkinson, and he said it would be as a matter of business, to see what it could be done for; that was all that I heard of it until Mr. Fenton, another member of the committee, spoke to me; but it all dropped to the ground, and there was nothing done.

1406. You entertained the proposition at first?—No, it was too far gone for it; the people were too fond of Roupell; it was too far gone then.

1407. At what time of the election was that?—Two or three days previous to the nomination.

1408. Did your people principally plump for Roupell, or vote for Roupell and Williams?—Principally for Roupell in my district.

1409. Altogether you received that money?—Yes.

1410. Who did you receive the money of?—From Mr. Truman, at the central committee.

1411. How many of those canvassers were voters?—I think not above three or four.

1412. How many canvassers had you; nine?—Yes; but there were a great number of persons employed.

1413. I speak of the canvassers?—There were eight.

1414. And in that account you charge, how many of them were voters?—About three or four, not more; I cannot exactly tell; I am not speaking positively, because the register will show.

1415. How much did you pay your canvassers?—From 7 *s.* 6 *d.* to 10 *s.* a day.

1416. Four of them were voters?—Three or four; I speak without the register; whether there were three, or whether there were four, I do not know.

1417. Did you take the Montpelier Arms?—Certainly not.

1418. Let me look at the charge for the Montpelier Arms expenses; 3 *l.* 10 *s.*?—You mean of Lord Monteagle, a little beershop, for a posting-house?

1419. You paid 3 *l.* for that?—Yes.

1420. Two pounds ten shillings more, making 5 *l.* 10 *s.*; who kept that?—He was a new comer.

1421. Was he a voter?—He had no vote. I think you are wrong about the two separate amounts; I think it only charged, but it is left in dispute.

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1422. How much altogether did you pay to the Lord Monteagle?—Two pounds ten shillings.

1423. Is there not 3 *l.* charged in the other?—It is in dispute; it was taken off.

1424. That was an item disallowed?—Yes.

1425. You were the chairman?—I was.

1426. See if the items deducted are not 16 *l.* and 1 *l.* 10 *s.*, and then if there is any deduction from the Lord Monteagle; there is 19 *l.* 10 *s.*?—Yes, but they are struck off here in red ink.

1427. Six pounds ten shillings for superintendence, struck off?—They are ticked.

1428. They are not deducted; just show that to the Chairman, and see if that is a deduction?—The two items are ticked off; there is 6 *l.* 10 *s.* in dispute; then they tick off 19 *l.* 10 *s.* there; I kept no account; I have only these to refresh my memory.

1429. It is the committee-room expenses that is struck out?—You are right on that point.

1430. And you are wrong?—Yes.

1431. Do you charge anything yourself?—I charged, but they did not pay me.

1432. What did you charge for yourself?—They would not pay me.

1433. What did you charge?—A guinea a day; the money I paid out of pocket besides.

1434. The *Chairman.*] Did you say you expected to get a little?—I do; I think I ought to have it.

1435. Do you expect it?—Well ——

1436. Have you any reason?—I expect it is right.

1437. Has it been held out as a promise that you would get it?—No.

1438. Then you do not expect it?—Not by any promise.

1439. Mr. *James.*] I take his word, as he swore it, he expected to get it.—I am entitled to it.

1440. What do you expect to be paid?—Under the circumstances, I shall give the matter all up; I shall not trouble myself any further about it.

1441. *Committee.*] You think you ought to have it paid?—Yes.

1442. Mr. *James.*] Was any arrangement made by which you were to be paid for your services?—I had no arrangement about it.

1443. Was anything said about it?—I said, "I shall charge my expenses."

1444. Was anything said about being paid?—Any particular amount?

1445. Anything about your being paid for your services?—Nothing.

1446. That you swear?—Yes.

1447. Why do you ask, "any particular amount"?—Because I consider I was entitled to it; I had no arrangement for the whole.

1448. Was any arrangement made about your being paid anything?—No, nothing; I never agreed for anything; there was nothing said about it; I will give it that way.

1449. What did you say about it; did you not tell Mr. Howell that you were to have 40 *l.* a week?—Oh, dear me!

1450. I put this pointedly; will you swear you did not tell Mr. Howell you were to have 40 *l.* a week for the conduct of that committee?—I never told him anything of the kind.

1451. That you swear?—Yes.

1452. Who did you make the arrangement with?—I never made any arrangement except at the preliminary meeting at the Horns Tavern. There were a lot of names put down to act as committee-men for the districts; I then said, "I will undertake that district which I have conducted for many years for election matters, but I will not be interfered with by the central committee in any way; if they let me have it, I will conduct it on my own responsibility." That was agreed to, and they never came near me, or interfered with me.

1453. What you did hope to get was for your services?—Yes, I certainly did expect to get something for my services, which I have not got.

1454. When was this disallowed?—On the settling day, when the election was over.

1455. Mr. Truman paid you?—He paid everything; the money came through his hands; there was a general finance committee there.

Cross-examined

Cross-examined by Mr. *Slade.*

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1456. Have any expectations been held out to you, directly or indirectly, that you shall be paid that sum disallowed you by Mr. Truman?—Certainly not.

1457. Except what you chose to form in your own mind, were any expectations held out to you, directly or indirectly, that your services as chairman of the committee would receive compensation in money, or money's worth?—No, nor in money's worth. I have seen no one about it since.

1458. Nor at the time you offered?—No.

1459. You had been an influential man in electioneering matters before?—Yes, on many occasions.

1460. Did you help to bring in Mr. Wilkinson against Mr. D'Eyncourt?—I did.

1461. And the feeling in Lambeth had changed very considerably against Mr. Wilkinson after the late Parliament?—It had.

1462. I believe Mr. Wilkinson had been neutralising Mr. Williams' votes?—Yes, it was voting contrary to Mr. Williams.

1463. And the people of Lambeth considered they were not represented in Parliament?—There was a very ill-feeling against Mr. Wilkinson in our neighbourhood.

1464. Did Mr. Howell represent Mr. Wilkinson?—He did.

1465. Did Mr. Cape represent Mr. Wilkinson too?—Yes.

1466. Was he the secretary?—Yes.

1467. And an election agent?—Well, I do not know Cape; I knew him on the former election.

1468. Do you know him by sight?—I do not think I could pick him out.

1469. Just look and see?—That is Mr. Cape (*identifying a gentleman sitting at the table*).

1470. Is that the gentleman who accompanied Mr. Howell, and who proposed you should split your votes for 60 *l.*?—I never saw that gentleman with Mr. Howell.

1471. But this proposal of Mr. Howell's, did he propose to you to exercise your influence to split your votes with Mr. Wilkinson?—Most decidedly.

1472. Was that 60 *l.* to go into your pocket?—Oh, dear me, no.

1473. Whose pocket?—He wanted part of it himself.

1474. How much was to have gone into your pocket; did he want the lion's share?—No, the matter was not gone into; it was mere inducement held out by him.

1475. What was the inducement?—The inducement was, if I could get Mr. Roupell's party of voters to split with Mr. Wilkinson, he would make it a matter of business, and he said, "What sum would you require to do it? I will put it plainer; what sum do you think it can be done for? I want to be in a little you know; I want to stand in a little, and the others will want something; suppose we say 60 *l.*"

1476. He said, "Suppose you say 60 *l.*"?—I said, "I do not think that would do," and I thought 100 *l.* would do it better; it was all a matter of joke and conversation; there was nothing done in the matter.

1477. He began to feel your pulse as a matter of business, and talked about 60 *l.*?—Yes.

1478. And you gave him a Roland for his Oliver, and said 100 *l.* would do better?—Yes; there was nothing done in it.

1479. He intended to have done a good deal?—He was anxious for his party, the same as I was for mine.

1480. I suppose the same course was adopted in your committee-room as appears to have been adopted in the others; copies of the Bribery Act were sent down to you?—Yes.

1481. And you had the clauses in that Act all copied out and posted in the room?—Yes.

1482. And every possible precaution taken to prevent that Act being infringed?—I pledge you my honour there was not one glass of ale or a glass of wine came into my committee-room.

1483. It is lucky it was not so hot as it is now. These men you put on as canvassers, did they do their work and earn the money?—They did work hard for it.

1484. Did the same system prevail with your canvassers that was proved on

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Saturday to prevail at other houses, that they took in their canvass the returns of Mr. Wilkinson and Mr. Williams, the same as Mr. Roupell?—No, not for Mr. Williams; I told them to stick to Mr. Roupell, and not trouble themselves about Mr. Wilkinson.

1485. Did you have returns?—When the canvass came in in the evening, it was so many Roupell, so many Williams, and so many Wilkinson.

1486. And that return, as far as regarded Mr. Williams and Mr. Wilkinson, and Mr. Roupell, was sent up to the central committee-room?—No, I kept the district altogether; that was my engagement with them, that I was not to be interfered with, but do as I liked with the district.

1487. Then you did not report to the central committee?—No, I gave them gross numbers; they used to say, How are you getting on? and I said so and so.

1488. Did you give gross numbers for Mr. Roupell, or did you say so many for Wilkinson and so many for Williams?—I gave the whole three.

1489. Having given the return in, might not Mr. Wilkinson see his chance was very small?—I think he could see that; it was like putting seed down in frosty weather, and the little birds coming to pick it.

1490. The electors came up so freely?—Yes.

1491. Did Mr. William Roupell bribe you?—No.

1492. Directly or indirectly?—No.

1493. Did Mr. Richard Carew Barton bribe you?—No.

1494. Or Mr. Cullen Murthy?—No; Mr. Murthy helped to strike off part of my account.

1495. You do not call that bribery?—No.

1496. Nor Mr. Hogan?—No.

1497. Nor Mr. Truman?—None of them.

1498. Your services were entirely free?—Entirely free, as it now stands, and out of pocket besides; I did expect to be paid.

1499. And you say it was a dry election?—It was a very dry one.

1500. Did you apply to have a little wet?—No.

1501. Was no leave applied for?—No; some of my committee applied to have some remuneration given; they would not take my word for it, so they signed a round robin up to the central committee, and a letter came back, saying it could not be allowed; they thought I could allow it, and I said they might apply to the central committee, and they got the same answer there.

Re-examined by Mr. *James*.

1502. You say there was a copy of the Bribery Act; where did you put it?—In the committee-room; there were two or three copies lying about.

1503. Did you read it?—Yes, part of it.

1504. Your construction of it was, that committee-men that were paid was not an infringement of the Act?—I did not go into it minutely enough for that; all I looked at was to see that there was no refreshment and no treating.

1505. You sent in a claim for 16 guineas?—That was for services rendered.

1506. And did not get it?—I did not get it.

Examined by the *Committee*.

1507. You say you look on election matters entirely as a matter of business?—I have hitherto done so.

1508. And that on this occasion Mr. Roupell was fortunate to secure your services?—Yes; I liked Mr. Roupell's high principles.

1509. On the previous occasion, Mr. Wilkinson retained your services?—He did so; I was engaged under Mr. Harvey, but Mr. Harvey gave up.

1510. Did Mr. Wilkinson on the last election make any proposal to retain your services?—There were some of the committee applied to me to be on Mr. Wilkinson's committee.

1511. Before you engaged with Mr. Roupell?—About the same day, and I said I would not give an answer until I had attended the preliminary meeting at the Horns, where I went to see Mr. Roupell.

1512. Both making you an offer at the same time, as a matter of business, you preferred Mr. Roupell?—Yes; that was precisely how it was.

[The Witness was directed to withdraw.

Mr. *Charles Peate,* sworn; Examined by Mr. Serjeant *Ballantine.*

Mr. *C. Peate.*
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1513. ARE you a Hairdresser, living at No. 2, Westmoreland-road?—Yes.
1514. Whose house was the Red Lion, Camberwell Gate; Mr. Roupell's or Mr. Wilkinson's?—Neither.
1515. Do you remember when Mr. Roupell started?—Yes; not the exact date.
1516. You know Mr. Buckland, the gentleman just examined?—Well.
1517. He has a good deal of property of his own, and collects rents?—Yes; a great deal.
1518. Do you recollect his becoming the chairman of the Duke of Suffolk committee?—I do.
1519. Were you, in the evening, at the Lorrimer Arms?—I was.
1520. Do you recollect a Mr. Howell coming in?—Yes.
1521. Was Mr. Buckland there?—He was.
1522. Did you hear Mr. Howell ask him anything?—Yes; I heard Mr. Howell ask him a few questions.
1523. What did he ask him?—He asked him if he had done anything yet in reference to being appointed, and he said, "No." Mr. Howell then asked him if he had been up that day; he said, no, he had not. He said, "I am not going to run after them, let them come to me; you cannot ask your price so well."

The *Chairman* stated the Committee were of opinion that these questions ought to have been put to Mr. Buckland, if the Counsel intended to contradict him.

Mr. *Slade* submitted that if they intended to contradict Mr. Buckland, they ought to have asked him the question in the very words.

1524. The *Chairman* (To the *Witness*).] Did you hear Mr. Buckland say, "I am to have 40 *l.* a week for the conduct of the committee"?—Certainly not.

Mr. Serjeant *Ballantine* stated that he did not understand the Chairman to say that he was not to have the whole conversation.

The *Chairman* was of opinion that if Mr. Serjeant Ballantine intended to contradict his own witness he ought to have put it more distinctly.

Mr. Serjeant *Ballantine* stated that after the opinion of the Chairman, he would withdraw the witness.

[The Witness was directed to withdraw.

Mr. *Joseph Manning* sworn; Examined by Mr. *James.*

Mr. *J. Manning.*

1525. ARE you a Surveyor?—I am.
1526. Have you been directed to ascertain the situation and distance of certain public-houses to each other with respect to this election?—I have.
1527. Now take the Victoria Theatre as a centre; that is in the New Cut, Lambeth?—Yes.
1528. Do you find nine public-houses there within a circle of 333 yards in diameter?—Yes.
1529. Just give the names?—There are the Olive Branch, the Pear Tree, the Lord Hill, the Hero of Waterloo, then a beerhouse, then Garrett's beerhouse, the Coburg Arms, the Great Britain, the Carpenter's Arms, the Hit or Miss, the Duke of Sussex, the Crystal Palace, and the Artichoke.
1530. Those are the nine?—I have given you too wide a circle, I am afraid.
1531. What are to be taken out?—I strike out Garrett's beerhouse, the Hero of Waterloo, the Lord Hill, and the beerhouse.
1532. They come into another circle?—Yes.
1533. What is the distance between the Olive Branch and the Pear Tree public-house?—Fifty yards.
1534. What is the distance between the Olive Branch and the Carpenter's Arms?—Fifty yards.
1535. What is the distance of the Carpenter's Arms from the Crystal Palace?—About 60 yards.

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1536. And do you find the Crystal Palace public-house is 180 yards from the Artichoke?—Yes.

1537. Is the distance between the Pear Tree and the Artichoke 360 yards?—About 330.

The *Chairman* inquired whether these were committee or posting-houses.

Mr. *Slade* submitted that they were not to be proved to be either.

Mr. *James* replied that he would prove what they were presently.

1538. Are there three houses between those two?—Yes; the Crystal Palace, the Carpenter's Arms and the Olive Branch.

1539. Now take the immediate district of Vauxhall Bridge; what is the distance from the Bridge House to the Rose and Crown?—About 50 yards.

1540. And how far the Albion?—That is directly opposite.

1541. What is the distance from the Elephant and Castle to the Bridge House Tavern?—About 77 yards.

1542. Now take the end of Hugh-street in Broad-street. Do you find four public-houses; the Henry the Eighth, the Potter's Arms, the Coach and Horses, the Bull's Head, all within a distance of 100 yards?—Yes.

1543. Now take the Walworth district; the Duke of Suffolk. What is the distance from the Duke of Suffolk to the Jolly Butchers?—About 100 yards.

1544. And what is the distance from the Jolly Butchers to the Rose and Crown?—Eighty-four yards.

1545. What is the distance from the Rose and Crown to the Prince Regent?—One hundred and sixty-seven yards.

1546. And from the Prince Regent to the Lord Camden in the next street?—Two hundred and fifty yards.

1547. Now then, the Mason's Arms?—That is 173 yards.

1548. And in East-street on to the Royal Albert?—One hundred and sixty-seven yards.

1549. From the Sun Tavern, in Trafalgar-street, to the Lord Nelson?—Sixty-seven yards.

1550. From the Sun to the Champion?—One hundred and forty-three yards.

1551. And from the Sun to the Rose in George-street?—Eighty-seven yards.

1552. Now go to the Kent-road; from the Lord Wellesley to the Bridge House?—Two hundred and sixty yards.

1553. From the Bridge House to the Shard Arms?—One hundred and seventeen yards.

1554. From the Shard Arms to the Halfway Tavern?—Seven hundred yards.

1555. From the Halfway Tavern to the Kentish Drovers?—Forty-seven yards.

1556. And from the Kentish Drovers to the Elephant and Castle?—Seven hundred and seven yards.

1557. Now in the Brixton-road, from the White Horse to the Jenny Lind; is that 100 yards?—Yes.

1558. From the Jenny Lind to the Crown and Anchor?—Eighty-seven yards.

1559. From the Crown and Anchor to the Gardener's Arms?—Eighty-three yards.

1560. From the Gardener's Arms to the Antelope?—One hundred and sixty-seven yards.

1561. I believe you have been employed by Mr. Harrison to examine this register. Now, Pipe, John; vote Williams and Roupell?—Yes.

1562. Proom, Edward, St. Paul's-place, plumped for Roupell?—Yes.

1563. John Jenkins, 23, Martha-terrace, plumped for Roupell?—Yes.

Mr. *Slade* objected to this mode of examination, and contended that it must be proved by the poll-book.

Mr. *E. James* stated that the witness had examined the poll-books, and was stating the contents on oath.

1564. *Committee* (To the *Witness*).] When you examined the poll-books did anybody attend with you from the other side?—No.

Mr. *Slade* stated, that where they agreed he would not give his learned friend any trouble.

The *Chairman* stated that they could mark those on which they disagreed, and could go on with the others.

1565. Mr. Serjeant *Ballantine.*] William Randall?—A plumper for Roupell.

Mr. *Slade.*—We dispute that.

1566. Mr. Serjeant *Ballantine.*] James Robert Slack?—A plumper for Roupell.

Mr. *Slade.*—We have no such name.

1567. Mr. Serjeant *Ballantine.*] Did you find James Robert Slack?—Yes; but the c might be meant for an R.

1568. For whom did he vote?—A plumper for Mr. Roupell.

1569. Mr. Joseph Sparkes?—Williams and Roupell.

Mr. *Slade.*—That is disputed.

1570. Mr. Serjeant *Ballantine.*] Now Stephen Prescott, Keen's-road?—

The *Chairman* suggested that Mr. Serjeant Ballantine should put the list in the hands of the other side, and then they could mark what they objected to.

Mr. Serjeant *Ballantine* assented, and stated that he wished also to put in all the pay-lists.

The *Chairman* stated that they were already in, and Mr. Serjeant Ballantine could make whatever use he pleased of them.

Cross-examined by Mr. *Slade.*

1570*. You seem to have taken a great deal of care in marking these distances.—Yes.

1571. What were your instructions?—My instructions were to go and find the situation of the houses.

1572. What houses?—A list was given to me.

1573. Let us look at your instructions?—Yes [*handing in list*].

1574. These were given into your hand as a list of Mr. Roupell's houses?—They were.

1575. You took that for granted?—Of course; I had nothing else to go by.

1576. Taking that for granted, you then began to measure the distance from house to house?—I measured them from the map.

1577. You do not pretend to represent to this Committee that all these houses were Mr. Roupell's houses?—If this list is correct, I do.

1578. You had a certain list given you as Mr. Roupell's houses; do you mean to say that the Olive Branch was one of Mr. Roupell's houses?—It is in this list.

The *Chairman.*] He says he has measured the intervals between the different houses.

1579. Mr. *Slade.*] You know nothing about it?—Except what I have been told.

1580. *Committee.*] How did you measure the distances; as the crow flies, or as they lay along the street?—As they lay along the street. As I have taken it, I took it straight from house to house.

1581. That is not the way a person would walk?—I know it is not the way a person would walk.

1582. What is that map you have taken them from?—The published Ordnance sheet.

1583. Are all the public-houses laid down in the Ordnance sheet?—No.

1584. You first lay them down on the Ordnance map?—I went round, and found the situation of every one, and then laid them down on the Ordnance map.

1585. How did you lay them down?—By walking round, and seeing the situation.

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1586. How did you put them down?—It is as easy to find out as can be.

1587. You put the houses in?—Yes.

1588. Without any actual measurement?—This is the proper way to measure it. (*The Witness explained the map to the Committee.*)

[The Witness was directed to withdraw.

Mr. *John Truman* sworn; Examined by Mr. *James.*

Mr. *J. Truman.*

1589. WHAT are you?—A Builder and Contractor.

1590. Were you in the employment of Mr. Roupell in any way, or Mrs. Roupell, before the election?—Some long time ago.

1591. In what capacity?—I was manager in a brick field.

1592. They had some brick fields; where were they?—At Norwood.

1593. Have you those brick fields now?—As tenant, I rent them.

1594. At the time of the election were you at the central committee-room; the Horns Tavern?—I was there.

1595. You are not an elector of the borough?—No.

1596. What office did you fill during this election; in what capacity did you act?—I acted under Mr. Barton, the election agent.

1597. Were you at the meeting when it was proposed to have committees and chairmen of committees at the public-houses?—At the central committee; I was elected one of the central committee-men.

1598. Were you there when it was proposed that they should take certain public-houses, and have chairmen?—It was not at the meeting settled that we should take public-houses, but we met afterwards privately, and proposed to take houses, but not at the public meeting.

1599. It was privately arranged. Who were present at that private meeting when it was arranged that you should take public-houses?—The central committee.

1600. Who was there?—A Mr. Doulton or Mr. Groves were chairmen on that occasion.

1601. Was Mr. Doulton one of the chairmen of the central committee?—He officiated occasionally.

1602. And Mr. Grove officiated as chairman also?—If Mr. Grove was absent, Mr. Doulton took the chair.

1603. When was it that this private meeting was held, at which it was arranged to take certain public-houses?—At the Horns.

1604. When was it?—I think it was just before Mr. Roupell issued his address.

1605. Had you any list of houses; did you decide then on taking certain public-houses?—We decided on taking useful houses.

1606. Had you any list of what were called the useful houses?—No.

1607. How did you fix on them?—We went round, and where we saw a house that was at all central, in a certain district, we took it.

1608. Did you go round as one. Here is a charge for your cab-hire, 1 *l.* 5 *s.*; did you go round for the purpose of ascertaining what houses you thought were useful houses?—I did, once or twice.

1609. Did you report to the meeting those houses which you thought useful for the purpose of being taken?—I did.

1610. Was any list made out of the houses to be taken?—No.

1611. None at all?—Not to my knowledge.

1612. Who fixed upon the houses; who ultimately decided on the houses to be taken?—Perhaps one committee-man would say, "There is a house we ought to take;" and if the committee thought proper they took it; and if not, they rejected it.

1613. Did you pay, from time to time, those pay-sheets?—I did pay.

1614. What capacity did you fill with respect to the financial part of the election?—As one of the committee-men, I checked the accounts.

1615. We heard you paid the bills by cheques?—It was appointed to me afterwards to pay them.

1616. Had you any banker's account?—Yes; it was opened in my name and the secretary's jointly.

1617. Do

1617. Do you mean that joint cheques were to be drawn?—Yes; countersigned by the secretary; the account was opened in our names jointly.

1618. Who was the secretary?—Mr. Hogan.

1619. Who is he?—An accountant, I believe, by profession.

1620. Where was this account opened?—At Barclay, Bevan & Tritton's.

1621. How much was first paid to your joint account?—The banker's book will tell you.

1622. Turn to your banker's book?—£. 4,000.

1623. Mr. *Slade.*] What was it opened with?—£. 1,000.

1624. Mr. *James.*] Just let me look at it; it only refers to this March 16th; it is headed, "Barclay, Bevan & Co., with John Truman and A. Hogan, Esquires;" the first amount placed to credit is "March 16th, cash 1,000 *l.*; March 20th, cash 1,000 *l.*; March 27th, cash 1,272 *l.*; April 2d, 1,400 *l.*; April 6th, cash 150 *l.*;" which is, altogether, 4,822 *l.*, and the balance appears to be struck on 1 May; and the balance is 170 *l.* 18 *s.* 6 *d.* in favour of the depositors. (*To the Witness.*) How many pay-sheets, can you tell the Committee, you paid, in round numbers?—The total number?

1625. From first to last, how many pay-sheets as representing committee houses?—I don't understand your question.

1626. I don't wish to know the number of sheets, but the number of houses?—About 42, 43, or 44 houses; 42 it may be.

1627. Did you pay for placarding or posting bills?—We paid for the room, so much per week for the use of the room.

1628. Besides the 44 public-houses?

The *Chairman.*] He says 42.

Mr. *James.*] The printed account shows 44.

Witness.] The book will show.

1629. Besides the committee-rooms, did you pay any public-houses or beer-shops for what is called placarding?—I think a few.

1630. How many?—I cannot charge my memory.

1631. As many as 40 or 50?—No.

1632. Is there any list of those?—There is an item somewhere.

1633. Did you not say there was a book with a list?—Yes, I think there is.

1634. Now, I ask you, besides that list of public-houses, is there any entry in any list of public-houses and beer-houses that you had placarded?—Not that I am aware of.

1635. None?—No list.

1636. Can you tell the Committee how many others there were posted or placarded, public-houses and beer-shops?—I cannot.

1637. *Committee.*] How many?—I know there were a few, but I do not know how many; there might be a dozen to my knowledge, and there might have been under a score.

1638. Do you think you could swear to that?—There might have been, but I did not take any of those houses myself.

1639. I ask you if there were not seventy?—Not to my knowledge.

1640. What will you say giving your evidence before the Committee as to the number?—I do not know more than a dozen myself, but there might have been more; but I cannot say, because I did not take any of those houses.

1641. I ask you whether you yourself did not pay 50?—I did not.

1642. You swear that?—Yes.

1643. How many did you pay for?—I cannot tell.

1644. Under what head would payment for posting placards over beershops or public-houses come?—In the general expenses.

1645. In the general expenses; which item is that?—

Mr. *Slade.*] It is all on the pay-sheet.

Witness.] Yes, it is.

1646. Mr. *James.*] There is one item of expense, 1,500 *l*; will it come under it?—Yes.

Chairman.] He says it is down in the book.

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1647. Mr. *James.*] That appears to be a cheque drawn the 27th of March, expenses 1,500 *l.*?—That was to pay every thing.

1648. *Committee.*] What was that cheque to cover?—Most of the sheets and stations every week.

1649. Mr. *James.*] Were other pay-sheets sent in from the beershops and public-houses placarded?—I do not know that there were.

1650. The pay-sheets will give the times the rooms used as committee-rooms were taken; were there any pay-sheets sent in from houses used as placarded or posted houses?—I think they were paid on little receipts, small sheets of paper.

1651. Were there not 50 to 60 beershops and public-houses placarded for Mr. Roupell?—Not to my knowledge; it is quite new to me.

1652. Those pay-sheets were brought to the central committee for payment; just tell me, as you are the first person we have had from the central committee, be kind enough to look at those erasures; I hear somebody saying you can explain it all; did those pay-sheets come to you in that altered state at the top, where "chairman" is struck out, and "canvasser" put in?—This is a duplicate.

1653. Then take the original; did they come to you in that altered state from the committee-rooms or not; look at two or three of them before you answer the question?—I think they were altered at the central committee-room; we only acknowledge canvassers; I recollect one or two sheets coming to me from a man who called himself a committee-man; he did not like to submit to being called a canvasser; I said they must submit to that before I engaged them; I paid them as canvassers.

1654. Did you pay committee-men?—Never.

1655. Then it is quite a mistake to suppose that committee-men were paid as canvassers?—Yes; I never acknowledged committee-men.

1656. Who suggested that alteration?—I suggested it in one or two cases.

1657. State what occurred; have you suggested it when the paper came in?—When this paper came in, I said, "You are a canvasser."

1658. You said so to the chairman?—There is not a man here whose name is against it who was a chairman.

1659. I will give you Proom's name?—He was no chairman; he was not a committee-man.

1660. Had he not the formation of a committee?—Partly.

1661. But not a committee-man?—No.

1662. Not a chairman?—No.

1663. I will give you Mr. Morris; was Mr. Morris the chairman of a committee?—I must look, if you will allow me; Mr. Morris was a canvasser.

1664. And not the chairman of a committee?—Not to my knowledge.

1665. Has not that been "Morris, chairman"?—I cannot say.

1666. Pray attend; look at that carefully: "Morris, chairman; Whitty, deputy-chairman," struck through, and "canvasser" put?—I can only say that Morris was never engaged as a chairman or committee-man, only as canvasser, and he was paid as a canvasser, and nothing else.

1667. You never acknowledged any payment to committee as canvassers?—We never acknowledged a chairman or a paid committee-man; it is a thing I always hammered against.

1668. Whether you hammered against it or not, did they send in their pay-sheets as chairman, and you altered it?—They might have made a mistake, but we never allowed it.

1669. *Committee.*] Whose sheet have you got before you?—Morris's; he might have signed "Thomas Morris, chairman," but we never acknowledged it.

1670. Mr. *James.*] Why did you hammer so much against it; did you think it was illegal?—Of course; I knew it was.

1671. You had in your committee-room, I suppose, as in the others, a copy of "The Corrupt Practices Prevention Act"?—We had an abstract printed.

1672. And you thought it illegal?—I knew it to be illegal.

1673. To pay any committee-man; do I understand you that committee-men have not been paid as canvassers, men whom you knew as committee-men?—They were not committee-men; no men were paid who were committee-men.

1674. Do you know Buckland?—I do.

1675. Was Buckland a chairman?—No, not acknowledged by the committee.

1676. Was he a committee-man?—No.

1677. What

1677. What was he?—A canvasser.

1678. Now, pray attend. Did you not pay that very bill, "Mr. William Buckland, chairman;" did you not pay that yourself with your own hand?—Is there a duplicate?

1679. No; that is the original. Now I will give you another, which is an original: "Committee-room, Duke of Suffolk, 3d division, William Buckland, chairman;" did you not pay that man with your own hand?—Not as chairman.

1680. Read the heading of the bill; did you not pay that with your own hand?—I paid that, of course; not acknowledging Buckland as chairman.

1681. Is not every account of Buckland's put, "Chairman of the committee"?—He might have put himself chairman, but we did not consider him chairman: he might put himself what he liked; he might put himself Queen of England, but we have not acknowledged him.

1682. Is not every pay-sheet signed "chairman," and charged "chairman," and struck out and put "canvasser;" can you give me one that is not? Give me the committee pay-sheet for each house; give me the Swan Tavern. Now, I beg the attention of the Committee to this: I take one which they have given now, Joseph Hughes; did you pay that with your own hand, and is not that "Joseph Hughes" nearly obliterated, and the word "canvasser" put in?—I positively swear that I always looked on Hughes as a canvasser upon the very first day I saw him.

1683. Was he not the chairman of that committee?—No.

1684. That you swear?—Yes.

1685. Is it not printed here on your own pay-sheet, "chairman"?—Yes, very likely, but he was not acknowledged.

1686. Look at the word printed there; who printed those pay-sheets?—Some printer in Lambeth.

1687. You are a railway contractor, and this pay-sheet is a system of the railway contractors which you introduce for the purpose of the election?—I just suggested it.

1688. Who printed them?—I cannot tell you; I cannot recollect.

1689. Were there not instructions to print "chairman," and to sign "chairman," to that printed document?—(*No answer*).

1690. *Committee.*] In whose handwriting is the word "canvasser"?—This is the clerk's.

1691. What clerk?—One of the clerks of the central committee.

1692. Mr. *James.*] I am obliged for that question; was it not sent from a subordinate committee?—I cannot swear that this was one of the clerks.

1693. *Committee.*] The corrections are all in the same hand?—They are by one of the clerks of the central committee.

1694. Mr. *James.*] Am I to understand that these alterations were made from "chairman" to "canvasser" at the central committee?—I believe they were.

1695. *Committee.*] Were they made before you paid them, or afterwards?—Before.

1696. You told them you could not pay as chairman?—Yes.

1697. You paid them afterwards?—Yes, we had it done to check the accounts; we took Friday for checking the accounts, and Saturday for paying them. All these alterations were made on the Friday.

1698. To show that they could not be paid as chairman, but as canvassers?—Yes.

1699. Mr. *James.*] Did you not pay accounts after that Friday to many charging as chairman to the same people; take Buckland, for instance?—I hardly understand your question.

1700. Did you not pay accounts made out as "chairman of the committee," many after that Friday?—No.

1701. Look at Buckland's; is not that charged as "chairman"?—It might occur that that one account might be overlooked, but it was quite an oversight.

1702. Did you not pay the chairmen more per day at the rate of canvassing than the ordinary canvassers?—No, I do not think we paid them any more; I cannot recollect it.

1703. As a principle, did you not pay the chairmen and committee-men more, as canvassers, than ordinary canvassers?—We did not pay any chairmen at all.

1704. The *Committee.*] Why did Proom have 15*s.* a day, and the other men 10*s.*?

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10 *s.*?—Because we considered Proom a useful man; I believe it was expenses for his cab-hire.

1705. Were his expenses day by day, every day 15 *s.*?—I cannot charge my memory as to that; but he had something more allowed him because he was a useful man.

1706. Mr. *James.*] It is so with Buckland, Morris and Proom, is it not?—Have you noticed the deduction in Buckland's account; if you look at the deduction you will find he was not paid at that rate; I think I paid him 19 *l.*, instead of 40 *l.*

1707. Look at all those where "chairman" is obliterated in the signature, and tell me when it was done?—On the Friday.

1708. Did it come in again afterwards signed, "Perkins, chairman"?—He might have signed "Perkins, chairman"; this is where we look.

1709. You thought it illegal to pay chairmen?—Certainly.

1710. As bribery?—I don't know whether bribery; the Act told us in some shape.

1711. And to pay committee-men?—Yes.

1712. And you never have paid committee-men?—Not knowingly.

1713. That you swear?—Positively.

1714. Did you know that at some of the public-houses there were committee-men, and canvassers too?—Not authorised.

1715. You never paid committee-men as canvassers, and a body of canvassers too?—I told you we never paid a committee-man at all.

1716. Did you never pay committee-men and a body of canvassers?—We always paid them as canvassers, messengers, or clerks.

1717. Did you happen to pay a number of gentlemen as canvassers who had an additional status at that committee as canvassers besides?—No; we did not happen to do that.

1718. In no case?—In no case, not knowingly; Mr. Buckland might have put his name as chairman, and we might have passed that over.

1719. Did you remonstrate with these?—I did, indeed; I don't know about Buckland; that might have been overlooked. Wherever you see an erasure, it might have been altered; I told them we did not acknowledge them as chairmen.

1720. And they must have known the alteration was so made on the Friday?—When they came to take their monies, they saw the erasures and the red ink marks.

1721. And they must have known that there was a remonstrance made?—Our committee-men knew they were not considered as chairmen.

1722. I observe your cheques are drawn out in one lumping sum, and distributed among these various payments?—In gold and notes.

1723. You did not ask, when you paid the list, how many voters there were as committee-men, and how many canvassers as distinguished from voters?—No, we did not; we never asked if a canvasser was a voter; we got the most useful men we thought of.

1724. When you took these 44 or 42 houses, did you take them as committee-rooms?—I believe they were.

1725. Were committees to sit there?—In some places we had no committees, in others we had; for instance, at the St. Paul's we had no committee there.

1726. What did you call it?—You might call it a house of call.

1727. It was always that before the election; what was it after you had taken it?—The very same thing.

1728. How many out of the 42 or 44 houses was there no committees sitting at?—That is rather a wide question; I cannot tell you, unless I go through the accounts.

1729. How many should you say?—I must go through the accounts to tell you.

1730. How many should you say?—I should be sorry to say wrong, and I should if I was to guess.

1731. Can you tell at all?—No, not unless I go through the accounts.

1732. When these were not used as committee-rooms, were they all houses of call?—Houses of call.

1733. And houses of call to send in pay-sheets?—I can only tell you this.

The *Chairman.*] Answer the question.

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1734. Mr. *James.*] Houses of call to send in pay-sheets?—The pay-sheets were made up and sent in by the clerk.

1735. No committee?—No committee; the clerk was supposed to be always there.

1736. Who was to distribute the money?—It rested with the clerk, and whoever looked in.

1737. Do you mean to tell the Committee seriously that the management of this matter was such that all these houses were houses of call with a clerk to receive the visits of people who called, and that disbursements were to be made to whoever liked?—The canvassers, or whoever we thought most respectable; one would come one week, and another another week; we always gave it to the men we thought to be honest, however the contrary might be.

1738. And that was so with houses of call?—Yes.

1739. Did you go to some of these committee-rooms?—I did daily.

1740. Did you go to Proom's?—I did.

1741. Who did you find chairman there?—No one.

1742. Did you go to Buckland's?—I think I went there once. I did not visit Buckland's after.

1743. Did you go to Morris's?—Yes.

1744. Who did you find chairman there?—No chairman at all; they were all out at work.

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 14° *die Julii*, 1857.

ROBERT INGHAM, Esq., IN THE CHAIR.

Mr. *John Truman*, sworn; further Examined by Mr. *James.*

Mr. *J. Truman.*

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1745. DID you pay away any more money than appears by that pass-book?—No.

1746. You swear that?—I do.

1747. Not a farthing?—No.

1748. Everything you paid away individually that passed through your hands appears in that pass-book?—It does; except what the auditor has; that is included.

1749. The pay-sheets of 44 committees have been examined; you say you thought it illegal to pay committee-men; just take the Swan pay-sheet into your hands; did you know the Elephant and Castle, in the Vauxhall-road?—Yes.

1750. In this I see you have got two or three blended in one; there is a sub-committee at the Southampton Arms, and this committee at the Elephant and Castle, in the Vauxhall-road; it is headed the "Elephant and Castle," and then it has got "sub-committee at the Southampton Arms;" how is that?—The Southampton Arms was had for a meeting only.

1751. There is "sub-committee"?—I believe the Elephant and Castle was a central committee for a few houses there.

1752. For how many sub-committees that ramified from that central committee?—I am not prepared to say.

1753. Was the Southampton Arms one?—I believe so.

1754. Was there a sub-committee there; I can hardly recollect; I do not think there was a committee there at all.

1755. Sub-committee under the pay-sheet of the Elephant and Castle; there is this item, "Sub-committee at Southampton Arms, Nine Elms-road;" then there is an item of 20 *l.* 14 *s.*, and it is signed Robert Wardell, chairman; Henry Urquhart, clerk.

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1756. Can you give us the names of the houses of which the Elephant and Castle was the central committee-room?—I only know the Southampton Arms was connected with the Elephant and Castle.

1757. Can you tell how many committee-rooms the Elephant and Castle was connected with?—I cannot; I had nothing to do with it.

1758. You said it was the centre of several?—I believe it was, but I cannot say.

1759. Who can tell us?—The central committee of the Horns will be able to give you information as to that.

1760. What do you mean by the central committee of the Horns; because you are the party who signed every pay-sheet that is put in?—I did not hire every house.

1761. But you paid the pay-sheet of every house?—I paid it as the Elephant and Castle sheet.

1762. The sub-committees, of which the central was the Elephant and Castle for that district, you paid on the Elephant and Castle sheet; did the Elephant and Castle committee specify to you in their pay-sheet the disbursements and expenses of the various sub-committees?—I am not quite certain, but I think the Elephant and Castle worked these houses themselves.

1763. Can you tell how many committee-men there were by your pay-sheets, as distinguished from canvassers?—I do not know.

1764. Can you tell the Committee?—I have not made a calculation.

1765. Can you tell at how many committee-rooms there were committee-men, with an additional staff of canvassers, at the 44 committee-rooms?—There were three or four houses where there were paid canvassers only, and a clerk and a messenger.

1766. Were all the others committee-men, with an additional staff of canvassers?—I believe they were.

1767. I will take the William the Fourth; was Mr. Perkins the chairman of the William the Fourth?—I cannot recollect.

1768. Try; was he not the paid chairman at 15*s.* a day of the William the Fourth?—I cannot recollect to tell you off-hand.

1769. Was there a paid chairman at every committee?—No, an unpaid chairman; there was not one paid chairman through the whole election.

1770. That you mean to say, not one paid chairman receiving so much a day?—No paid chairman acknowledged as such by the central committee.

1771. But did you strike out the "chairman," and pay him as "canvasser"?—We never engaged him as chairman.

1772. Did you pay that chairman under the name of "canvasser" 15*s.* a day?—As I said yesterday, we had the accounts in on Thursday evening; we checked them on Friday, and paid them on Saturday, and if a canvasser chose to call himself chairman, unless one escaped our notice, we crossed it out, and put his proper designation.

1773. And those pay-sheets came in on every Thursday for 12 weeks?—I should say invariably.

1774. And you paid every Thursday for three weeks?—Every Saturday.

1775. In the form in which those pay-sheets were made out?—Yes.

1776. You said you remonstrated on their coming in so and so, "chairman," when it was altered to "canvasser;" can you give the name of one whom you swear you remonstrated with, about putting his name down as chairman, and carrying out the amount for his services?—When they occurred to me; every one of them.

1777. Give me the name of one with whom you remonstrated about putting his name down as chairman?—There are so many names throughout the election, that it is impossible for me to recollect, but I think I recollect remonstrating with a man of the name of Morris, or Morrison.

1778. Is he the mathematical instrument-maker?—I cannot say; I cannot recollect well.

1779. Do you mean Mr. Morris who was examined yesterday before the Committee?—I remonstrated with every one.

1780. Some of the gentlemen have sworn that they do not know where that alteration was made; the Bee Hive is one?—If you show me the sheet that will bring it to my recollection.

1781. There it is, signed "chairman;" is that the gentleman?—That is one.

1782. That

1782. That you will swear?—I think that was altered by my directions.

1783. Will you swear that you remonstrated with that person whose name appears on that sheet as to his having put his name down as chairman?—I do not think I should like to swear to that.

1784. I do not think you would?—But it is my firm belief that I did to that man; I did remonstrate with some.

1785. By two subsequent sheets did he send it in just in the same way?—I think I remonstrated with him.

1786. Will you swear it?—I do not like to be positive.

1787. Will you name one?—There were so many.

1788. It is so easy to name one out of so many?—I know them more by their faces than by their names.

1789. Will you name one; you know the witnesses in the lobby; you have been associating with them?—I beg pardon, I have not.

1790. You have been talking to the witnesses here, surely?—Very well.

1791. Did you not walk off with Buckland, and drink with him?—No.

1792. Not drink with him?—No.

1793. Did you walk with him from the room-door?—Not intentionally.

1794. Give me the name of one with whom you remonstrated?—I cannot recollect one.

Cross-examined by Mr. *Phinn.*

1795. When was your first employment at all in the matter of the election?—It was about the 12th of March.

1796. Was it at your suggestion that this organisation and system was introduced for the purpose of canvassing the voters?—It was.

1797. And did you suggest the pay-sheets, and the regularity of sending in the accounts with a view to check the expenditure?—I did.

1798. You are put down as a briber; have you paid anybody for his vote, or promised anybody anything for his vote during this election?—I never thought of such a thing.

1799. Had your attention been attracted to the fact that at previous elections for Lambeth a very large proportion of the constituency had been unpolled?—I found that out after a very few days.

1800. Was it then arranged that a systematic canvass should be made of each elector?—It was.

1801. With that view, were polling cards, or at least, were cards with the name of Mr. Roupell sent to each elector?—Yes.

1802. Can you give the Committee an idea of what the price was for sending out the first circular?—I think they were sent by post, and the postage came to as near 100 *l.* as possible.

1803. There are 20,000 electors?—Twenty-two thousand.

1804. Then you sent by post to each of their addresses?—We did.

1805. Besides that, had you to employ people to fold the circulars and to despatch them?—Yes, two or three days and nights.

1806. Did the whole cost nearly 200 *l.* each circular.

Chairman.] Each issue?

Witness.] To the best of my recollection, I don't think 200 *l.* would pay, taking everything into consideration.

1807. Mr. *Phinn.*] Was the first operation to send a card, with Mr. Roupell's name, soliciting the vote, before the canvasser called?—I think it was.

1808. Then the card having been sent, the instructions to the canvassers were, that they were to ascertain in the district, and report exactly, which way the voters intended to vote?—It was, and sent in daily.

1809. And they sent in not only the names of those who were going to vote for Roupell, but those who were going to vote for the other candidates?—Exactly; the three candidates.

1810. Did you find that nearly 3,000 of those circulars had to be returned, and had to be re-issued from wrong addresses?—Quite that.

1811. I believe that added to the expense?—I have them by me now.

1812. For the purpose of an effectual canvass of the borough, it was necessary to subdivide it into districts?—It was.

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1813. If I understand you, the central committee was at the Horns; were there, in the first instance, other committees organised in seven districts?—There were.

1814. Was there a committee organised in the Marsh and Wall district?—Yes.

1815. Another in the Bishop's Liberty, another in the Prince's Liberty, another in the Out Liberty, and another in St. Mary's, Newington?—Yes.

1816. Another in Camberwell?—Yes.

1817. And others in Peckham and Dulwich?—Yes.

1818. Were there in the whole about 17 places of meeting for these committees in the various districts?—About that.

1819. I am told it is 19, including the central room; were those in experience found to be insufficient for the purpose of effectually prosecuting the canvass?—Yes.

1820. And then were there in fact others added?—Yes.

1821. Was the matter mapped out or planned out in the central committee-room?—It was.

1822. Whose work was that?—One of the gentlemen undertook to do it.

1823. Who was it?—Mr. Bailey.

1824. You suggested it?—Mr. Bailey suggested it.

1825. After the plan was matured, did you look over it to see whether you thought it would do?—I did.

1826. Were tracing papers taken from the Ordnance map, and given to the head of each district, showing the district where his operations were to be carried out?—To assist the canvassers.

1827. We have heard a good deal about committees and canvassers, can you explain to the Committee what the original constitution of the districts was; were the heads of them selected by the central committee, or were they elected by the committee when it assembled as a district Committee?—In some cases the committee and chairman of committees were selected by those who lived in the immediate neighbourhood, and their names were sent up to the central committee for approval.

1828. Do you recollect the public meeting at the Horns when Mr. Roupell first announced himself as a candidate?—I do.

1829. During that meeting was a call made on gentlemen favourable to the cause to give in their names to act in their districts or to assist Mr. Roupell's canvass?—There was.

1830. Were there many names given in?—I almost think that the whole room was unanimous.

1831. In giving in their names to act in the district?—As chairmen.

1832. As chairmen and committee-men?—Yes, a great number; a very great number.

1833. Had there been previously a meeting where Mr. Roupell first announced himself?—Yes.

1834. Was that the 12th of March?—I am not quite certain, but somewhere about that time?—I think it was the 12th of March, as I said just now.

1835. Had there, previously to that, been any private meeting of Mr. Roupell's friends to consider the propriety of his being a candidate?—There had.

1836. And on the result of that private meeting a public meeting was called?—Yes.

1837. At the private meeting, had any names been given in for committee-men?—Not at the private meeting.

1838. After the public meeting, was a circular issued, calling on other gentlemen to come forward and complete the committee? (*Handing a circular to the Witness.*)—Yes, I recollect that. (*The same was handed in.*)

1839. Were the district committees presided over by gentlemen of very considerable influence and weight in the borough?—Yes; we endeavoured to select the best men in the borough.

1840. If I understand you, in answer to my friend, Mr. James, you said that no man was paid as chairman of committees?—Not one.

1841. But that in some cases where you recognised them as canvassers, and designated them as chairmen, you struck that out, and then paid them?—Just so.

1842. Have you gone through the pay-sheets to see in how many instances this

this change occurs out of the 44?—No; I have not done that. It is in the handwriting of one of the clerks.

Chairman.] It is desirable that the Counsel on both sides should agree on this matter.

Mr. *Phinn.*] We say, the Beehive is one; the Kentish Drovers, two; the Jolly Sailors, three; William the Fourth, four; St. Paul's, five; the Queen's Head, six.

Mr. Serjeant *Ballantine.*] We agree in those.

Mr. *James.*] And the Canterbury Arms.

Mr. *Phinn.*] We admit the Canterbury Arms.

Mr. Serjeant *Ballantine.*] That makes seven.

1843. Mr. *Phinn* (to the *Witness*).] Were your instructions not to pay anybody as chairmen, but simply as canvassers?—Just so.

1844. I believe many of those gentlemen were small tradesmen, and people of that kind, who assumed the title of chairmen?—Yes.

1845. And they sat in the rooms and received returns?—Yes; in the evening part of the day.

1846. I find the word "Chairman"?—But not as chairman.

1847. Whatever they choose to call themselves you did not recognise them as chairmen?—Just so; not as paid chairmen.

1848. Were the pay-sheets originally printed all in one form, with "Chairman" and "Clerk" at the bottom?—There was never any alteration.

1849. Were they originally printed all in one form?—Yes; I don't know of any alteration.

1850. Were they printed on a scheme of your own?—Yes.

1851. When these pay sheets were issued to these houses, whether they were chairmen or not, the word "Chairman" was at the bottom of them?—It was.

1852. Was Mr. Roupell frequently present at the central committee-rooms?—Yes.

1853. Did he on all occasions impress on you the necessity of not expending money illegally?—He did.

1854. From the beginning to the end of the election?—Yes.

1855. Did he state at the first public meeting that he was determined to carry the election by pure means?—He did.

1856. Did he repeat that on every occasion?—I should say on every day.

1857. My friend has asked you whether you paid any money besides that which you have mentioned as having passed through the banking account. Did you place that money to a separate account, with a view of keeping the expenditure for the election distinct?—Exactly.

1858. And, as far as you know, is the account which you have given in an account of every shilling expended on the election?—Every farthing.

1859. You know this constituency pretty well; would it be possible to get the number of men up to the poll by leaving it to the efforts of the individuals in the locality, without some staff?—I should think it would be impossible.

1860. Had you referred to the poll-books at previous elections, and seen how small a number had polled?—I did make reference to them, but I know a very small number had polled.

1861. Hardly a fourth of the constituency?—Hardly a fourth.

1862. In making your arrangements for the number of canvassers, did you make a calculation how many votes each pair of canvassers would be able to solicit?—We did.

1863. What number did you assign, on a rough estimate, at first to each pair of canvassers?—I almost forget.

1864. Was it about 150, or from 130 to 150?—To the best of my recollection it was about that.

1865. In the progress of the canvass, did you find in some districts, owing to the pursuits of the people, a numerous class which was necessary to make you want more canvassers?—We did.

1866. And had you applications from the district committees for more canvassers?—Frequently for more than we sent.

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1867. My friend asked you yesterday, whether you knew, I think, of 50 or 60 posting-houses; were you aware that the system of taking houses for posting was adopted?—All I knew was about half-a-dozen.

1868. My friend asked you yesterday if you knew the 50 or 60?—I did not.

1869. All you knew was about a dozen?—About a dozen.

1870. Was it the common practice in Lambeth to take houses for that purpose; did the other side adopt it?—They did; they offered 5 *l.* for one certain house to my knowledge, according to the statement of the landlord; and he refused us, because he said he must wait an hour for Mr. Wilkinson's answer. We never thought of giving 5 *l.* for posting a few bills up.

Re-examined by Mr. *James.*

1871. What house was that?—The Surrey View, at Peckham.

1872. What did you give?—We would not have it.

1873. Will you swear that your bills were not placarded there?—I do, if I am right in the sign.

1874. Are you right?—Will anybody just tell me where the Surrey View is? It is just at the corner of a bridge, going from Peckham to Walworth, I mean.

1875. You had so many, you can hardly tell; are you certain about it?—The Surrey View, I think I might venture.

1876. Where is it?—It is leading from Camberwell to Peckham.

1877. Who is the landlord?—I cannot recollect the name, but I know the house.

1878. What class of men were these canvassers?—We considered them respectable inhabitants.

1879. Where did you get them?—They applied to the different chairmen for their appointments.

1880. You had some questions put to you by my learned friend which you adopted readily, saying that some were small tradesmen; some who signed "Chairman"; did you not print this yourself on every pay sheet, "Chairman," "Chairman"?—On every pay-sheet.

1881. Did you not print that in order that they should be designated as chairmen of committees?—We sent them to every house, and did not fetch them away from one.

1882. These pay-sheets were given for the whole three weeks, during which the chairmen were to make their returns, signed?—Yes.

1883. Sent in on the Thursday, and paid on the Saturday?—Yes.

1884. "Chairman" of what, does it mean, on every pay-sheet; is there one without it; "Chairman" and "Clerk"; chairman and clerk of what?—In three or four instances we did not acknowledge a chairman.

1885. What were these printed for on every pay-sheet, and sent to the people to send to the central committee, if you did not mean chairman and clerk of the committee?—We did not think it necessary to go to the expense of changing the sheets, because two or three houses had not committees.

1886. Where there was a committee, did not the word "Chairman" and "Clerk" mean chairman and clerk of the committee; you cannot deny that?—When we had this printed, we expected that there would be a chairman and clerk at every house.

1887. And when there was a committee, it meant the chairman and clerk?—When there really was a committee.

1888. You say you selected people of influence and weight; now do you know Proom?—I know him from the election.

1889. He is a man of some influence, as having a number of small tenants in that district?—Not that I am aware of.

1890. Who selected Proom; give an instance?—The landlord, I think, mentioned Proom's name to us; we met there to form a committee, and Proom came in with the rest of the canvassers; we made him superintendent of canvassers.

1891. Was Thomas Corbett the landlord?—I cannot recollect.

Examined by the *Committee.*

1892. You were present at the time you determined on selecting a number of houses as posting-houses and committee-rooms?—Yes.

1893. Did

1893. Did you make any effort to hire any other houses except public-houses for that purpose?—We confined ourselves to public-houses entirely.

1894. For what reason did you give a preference to public-houses to any other houses that you might engage?—We found that it was not convenient at any private houses. We should have got private houses if we could have got them. In fact, the voters of Lambeth would not go to a private house. We had one private house; that was at the Elephant and Castle at Newington.

1895. Is it the invariable custom in Lambeth to secure public-houses for those objects?—As long as I recollect.

1896. Can you furnish any list to the Committee of the persons you recognised as chairmen of your committees?—We can give you a list, I think.

1897. Have you one in the committee-room?

Mr. *Phinn.*] I believe so; at all events it shall be furnished.

1898. *Committee.*] With respect to Morris, who presided at the Beehive, in what capacity did you consider him?—If I recollect right he was nothing but a canvasser.

1899. How happens it that he says in his evidence that out of the 11 days he was retained at 15 *s.* a day, he only canvassed two; how did he employ his time the other nine?—Perhaps he was not put on as early as the rest.

1900. He stated from his own mouth in this very room that he received pay at 15 *s.* a day for 11 days, two of which he was employed as canvasser; how was he employed the other nine days?—He was never employed as anything else than as a canvasser.

1901. He said precisely the contrary?

Mr. *Phinn.*] He said he was employed each day successively.

Mr. *James.*] He called himself the chairman of the committee.

Mr. *Phinn.*] He said he was receiving the returns of the other canvassers who were out.

The *Witness.*] He was a superintendent canvasser.

Mr. *Johnson.*] He may call himself what he liked; that was the effect of his evidence; that he was receiving from day to day the returns of the other parties canvassing.

The *Witness.*] We never acknowledged him as anything else.

1902. You said those printed sheets with "Chairman" at the bottom corner were printed by your authority?—Yes.

1903. You must have ordered them to be printed before you had read the Act which declared chairmen illegal?—Yes.

1904. And you might not have liked to go to the expense of re-printing them?—Yes.

1905. When you assembled a certain number of canvassers, had it struck you that they must have some acknowledged head over them?—The central committee. There were only canvassers in three or four instances. The central committee visited them daily, and kept a sharp look out. Two of the central committee visited these houses.

1906. At such houses they must have had a head or somebody to superintend and look after these eight or dozen canvassers?—In one case Proom did it, and in another Morris.

1907. Then Proom was what you would have called a chairman if you had not found it out to be illegal?—No; we did not engage him as chairman.

1908. But you would if it was not illegal?—If he would have done it without pay.

1909. As he would not do it without pay you selected him as canvasser?—We selected him, and paid him as a useful man.

1910. Do you know what he did when he was not out canvassing?—He was not always out canvassing; I am not prepared to say what he did; we always considered him to be at his duty.

1911. Did he bring to you the canvassing books?—They were sent up every evening by the messenger, and they were fetched in the morning.

1912. Those eight or ten canvassers could not all be out?—There was a clerk at each committee-room.

1913. The superintendent of each committee looked after the canvassing books

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with the clerk, and was responsible to you?—The canvassers and the head of each; of course we looked to Proom as being rather a superior sort of man, and knowing the district well.

1914. He was responsible to you for the canvassers?—Not exactly; we looked to the clerk; we always questioned the clerk every day.

Mr. Serjeant *Ballantine.*] Would the Committee allow me to ask this witness whether, in addition to the canvassers he has mentioned attached to the local committees, there were not 11 canvassers attached to the central committee?

1915. The *Chairman.*] Answer the question?—I do not know whether there were 11, but some canvassers were looked on as special canvassers; these canvassers were appointed to wait on the most respectable part of the borough.

1916. *Committee.*] Good argumentative canvassers?—Yes; and they were appointed to wait on the gentlemen in the city.

1917. You found it perfectly necessary to have this number of canvassers?—We appointed them, and found them useful.

1918. Have you had anything to do with elections before?—With parish elections.

1919. Could you have canvassed 20,000 voters without this number of canvassers?—No.

1920. Could you have got people to canvass without paying?—Not one.

1921. Then, if you had not paid them you could not have canvassed them?—No, not in the borough of Lambeth.

1922. In these return papers one gentleman signs each of them, and the clerk; that person must have been the head man of some description; the head man of the canvassers or chairman; each paper is signed by two individuals, one as superintendent or chairman, and the other as clerk?—We always expected the clerk to sign, because he kept the books.

1923. What did you consider the other party?—Which party?

1924. There are two signatures to the list, one is the clerk, and the other has the word "Chairman" printed opposite to his name; you say he was not the chairman; he must have had some official appointment, or he would not have signed the papers?—In the cases of Proom and Morris it might be, because we considered them superior men; we left it to them to look after the others, and they took on themselves to sign against the printed word "Chairman;" but we never acknowledged them as chairmen; we paid them as principal canvassers; superior men over the others.

1925. One man in each committee was superior to the others?—There was one man.

1926. You may call him anything you like?—Yes; we liked to have one more particular than the rest.

1927. And he was either superintendent or chairman of the canvassers?—Yes.

1928. Did you appoint him superintendent, or did he appoint himself?—Where we found them useful, we said, "Will you just look after the rest?"

1929. That is in common parlance, that you would call him chairman, if you were not afraid to use the term?—We should not acknowledge a chairman, although you may think it curious.

1930. Could you have received the reports of these different sets of canvassers without having an acknowledged head of some sort to each?—Not very well.

1931. You were obliged to have an acknowledged head at each public-house?—Yes.

1932. And therefore if you did not invent a name for him, what did you call him?—We called him the superintendent canvasser; the same as foreman of the works.

[The Witness was directed to withdraw.

Mr. *Richard Carroll Barton*, sworn; and further Examined by Mr. Serjeant *Ballantine.*

Mr. *R. C. Barton.*

1933. I HAVE got in my hand Mr. Truman's pass-book; I find from that pass-book that after the day of nomination there are a number of cheques given by him and paid by the bankers; is that so?—It is.

1934. May

1934. May I take it that those were for the election expenses?—For the purposes of the election; there was a finance committee appointed.

1935. Still, it was paid through Mr. Truman, and by his cheques?—Mr. Truman and Mr. Hogan were trustees of that fund.

1936. You were the agent for election expenses, but those sums of money were paid through Mr. Truman and Mr. Hogan?—Yes, out of the fund at the bankers.

1937. Over which you had no direct control?—Personally I had no control.

1938. And not to deal with them as your agents?—They held the fund to distribute.

1939. But the disbursements were made at their own option, and their own discretion?—They were merely to draw the money from the bankers for the purpose of the election, as required.

1940. Which requirement was within their own discretion?—Under the supervision of the finance committee, and with an order from me to get it; in point of fact they were my trustees.

1941. Did you give any order? I see a sum of money, April the 2d, 900 *l.*; did you give any order before that cheque was given?—It was found that that money would be required to pay the sheets on that day. An estimate was made of the pay-sheets on the Thursday, and the sum of money was drawn from the bankers to meet that requirement.

1942. Will you understand and answer my question: did you give any order to pay that sum of money?—I requested a cheque should be drawn for that sum.

1943. Did you mean that you ascertained the sum?—I do not say that the amount was mentioned to me precisely, but it was known that a certain sum of money would be required that day, and a cheque was drawn.

1944. The cheque was drawn by Truman, and was not the amount settled by Truman subject to the finance committee?—Yes.

Mr. *Johnson.*] The cheque was not drawn by Truman, it was drawn by Mr. Hogan.

1945. Mr. Serjeant *Ballantine.*] That is the same thing: I may take it that the other payments were made on the same principle, and in the same way?—Yes; of course you are aware, in an election, I could not take the entire control.

Mr. Serjeant *Ballantine.*] I am not arguing that matter with you, I only want to get the fact, and I have got it now from you; it may be fair to mention to the Committee, that, without going through them, I shall have to call their attention to a great many of other items which I find in the pass-book.

1946. *Committee.*] The cheque for 900 *l.* was settled by the finance committee?—It would be required; I gave instructions to Mr. Truman that that cheque should be drawn; it was my fund, but they were my trustees.

1947. You were told that that 900 *l.* would be wanted before it was drawn?—Yes.

Mr. Serjeant *Ballantine.*] He said he was not told that the amount was wanted.

1948. *Committee.*] He said a certain sum was asked for on account?—We knew pretty well what funds would be required that day from the pay sheets; we had certain pay sheets returned, and it was necessary to have the funds to pay them.

1949. Was the cheque drawn for the amount of 900 *l.* with your privity?—With my privity.

1950. Your authority was obtained to draw 900 *l.* on account?—That was so.

1951. Mr. Serjeant *Ballantine.*] Now, I ask you, have you considered the answer you have just given to the Committee?—I am very desirous of putting myself right in every way; before that cheque was drawn, I was informed that there had been claims on the committee; not the precise amount; but I was told that 900 *l.* would be required, and I gave permission that that should be drawn.

1952. Am I to understand that you pledge your oath that you knew that the whole 900 *l.* would be the amount required?—I was told the sum of 900 *l.* would be required.

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1953. Before that cheque was drawn?—Yes.

1954. You are quite sure of that?—I am quite positive.

1955. You told me at first that you only knew a sum of money would be required, but did not know the amount.

1956. The *Chairman.*] He did not say he did not know what would be the amount of all the pay-sheets, but that they made a kind of estimate of former needs?—Precisely.

1957. Mr. Serjeant *Ballantine.*] Now, I see on this day, April 2d, there are four cheques drawn; one for 900 *l.*, another for 100 *l.*, another for 10 *l.*, and another for 100 *l.*; do you know anything of those items?—I knew there was not sufficient money, and that it was necessary to run to the bankers to get more.

1958. And that that was left to Mr. Truman to do?—I gave liberty to Mr. Truman when I found these small sums were required to draw for them.

1959. But without knowing what the sums were?—Without going into detail as to their being required; I had the accounts rendered to me afterwards.

1960. I understand you to say that you were in attendance at the central committee?—Mostly.

1961. In what capacity?—As election agent.

1962. As agent for election expenses?—Yes.

1963. And in that capacity you were attending at the central committee?—Yes, superintending all the progress of it.

1964. Were you acquainted with these charge sheets that have been produced; and had you anything to do with the ordering of the printing of them?—Yes, certainly, that was all submitted to the committee, and approved of.

1965. They were also submitted to the committee and the form approved of?—Yes, it was thought a very good plan.

1966. Were you present from time to time when those pay sheets were brought in; they were brought in on the Thursday and paid on the Saturday?—They were brought in at different hours; I was in the room, but they were delivered in in envelopes.

1967. Was your attention ever called to the description in some pay sheets of "Chairman" and "Clerk"?—I think it was mentioned in the room, whether there could be paid committee-men; and I was consulted by a great many whether they could be paid as paid committee-men.

1968. Do you know anything of these erasures?—I saw them afterwards in the room, and was told they had been struck out for the reason assigned by Mr. Truman.

1969. When will you be able to pledge yourself that you saw any erasure for the first time?—To the best of my belief on Saturday in the first week, a pay sheet having come in on the Thursday.

1970. Are you confidant about that?—To the best of my belief; I have a strong impression that I saw them.

1971. Are you confident that those erasures took place before the day of nomination at all?—I am very confident of that.

1972. Are you able to say that with certainty?—I saw them before the day of nomination, because I had occasion to send in the accounts to the auditor.

1973. And you noticed them then?—I looked at them, and saw the word "Chairman" struck out.

1974. Are you quite sure of that?—Quite confident of that.

1975. Were you asked on the point?—No, there was a question about paid committee-men; I had consulted somebody myself on the subject.

1976. As far as I can gather, the amounts shown to be explained by the pass-book are somewhere about 4,700 *l.*?—I think it appears from that book, that there have been received 4,822 *l.*

1977. Yes; to which there is, to the credit of Mr. Roupell, 160 *l.*?—Yes.

1978. It was you who said that 5,500 *l.* were expended; where do we find the remainder?—I have said so in some public print. There had been a great discussion about Mr. Roupell's expenses, because they were alleged to be 15,000 *l.* or 20,000 *l.*; and I did write a letter to "The Observer," stating that I thought the expenses did not exceed 5,500 *l.*

1979. I want to know whether it is 5,500 *l.* or 4,700 *l.*?—The total amount, with that paid by the auditor, would be 5,339 *l.*

1980. Am I to understand that those are the whole of the items against Mr. Roupell,

Roupell, of expenditure?—There are some disputed accounts, which we have sent in to the auditor.

1981. To what amount?—Probably 200*l.* or 300*l.*, but the parties have no claim.

1982. I have been looking through the accounts, but I don't find your bill?—No, I have not sent in any bill.

1983. Cannot you give any notion?—No; what I am fairly entitled to.

1984. You would not take a farthing more, I am certain, but I should like to know what it is?—I have no retaining fee; I believe that is the general plan of these things.

1985. What is your bill?—Really I cannot tell; whatever is fairly and properly taxed; but in point of law I am not entitled to anything.

1986. The question is, what Mr. Roupell has got to pay you?—He may have to pay me something, but I have not made it out.

1987. You must have some idea?—I never had any election in my hands before, therefore I don't know much about them; I am in Mr. Roupell's hands entirely; he need not pay me anything.

1988. The Act says, "All persons, as well agents as others, who shall have any bills, charges, or claims on any candidates, shall send in such bills and charges at the time, or within one month of the election"?

The *Chairman.*] He says he has not sent in any account; then, of course, he has no legal claim.

1989. Mr. Serjeant *Ballantine.*] What have you expended for Mr. Roupell?—I have expended nothing except what appears on the accounts.

1990. Am I to understand that no monies have been out of pocket?—I cautiously avoided that.

1991. You are no monies out of pocket?—Nothing out of pocket.

1992. Then it depends on what he may choose to give you?—That would be so if he took a legal view of it.

1993. Have you made no arrangement?—Certainly not.

1994. No conversation on the subject?—Never, directly or indirectly.

1995. Have you got a list of the bills sent in after the declaration of the poll?—Sent to the auditor?

1996. The bills sent in to you within the month?—I forwarded them on to the auditor.

1997. But you got them from the auditor?—They are all with the auditor now.

1998. Have you a list of them?—I think not; I have an account of the monies paid to the auditor.

1999. I want to know about the bills sent in within a month, what were their amounts?—First of all the auditor authorised the payment of 1,893*l.*, and he has paid himself, 834*l.* 13*s.* 8*d.*; those sums together make 2,700*l.*

Mr. *Johnson.*] All this is subsequent to the day of nomination.

2000. Mr. Serjeant *Ballantine.*] Yes; do you know of any unpaid claims existing now, independent of that 230*l.* or 240*l.* in dispute?—I do not.

2001. Any undeclared claims?—No.

2002. Now I want to call your attention to the sum of 105*l.* I find a sum for bill-posting stations, 105*l.*; can you give me any explanation of that?—That would be in the gross, before and since the nomination.

2003. There are no data, and no particulars given us at all; there are a variety of small items, and then I find, sundry stations 50*l.* 9*s.* 1*d.*, in gross?—It was found very necessary; it was the plan adopted, I should rather say, of posting houses, and posting omnibuses; it was considered to be a very good mode, better than to go to the Advertising Company to take a house; and then we posted from top to bottom.

2004. There are several other small sums?—Yes.

Mr. Serjeant *Ballantine.*] I have mentioned to the Committee that the sum of 105*l.*, as it appears, is one gross sum, and 50*l.* 5*s.* 1*d.*, and other small sums. They are all to public-houses; to the Artichoke, the Crown, Crocker's, Four Acre Tavern, the Duke of York, the Rose, the Weymouth Arms, Walter's, the Black Horse, the Tankard, and several others.

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2005. The *Committee.*] You took all those as posting-houses?—Yes, without a staff at all.

2006. You thought that more economical than going to the Advertising Company?—Yes, and the parties had to clear it away afterwards.

2007. Mr. Serjeant *Ballantine.*] Now, there is a list of 50*l.* 9*s.* which I will read over to you, and venture to ask the Chairman to look at it?—It is a list of the houses, with the prices paid to them for sticking these bills, chandlers' shops, and others.

2008. *Committee.*] There are 54 small private houses; it seems a very fair bill for that purpose?—The parties made great complaints about their houses, the publicans especially; they said they had to re-paint their houses.

Cross-examined by Mr. *Johnson.*

2009. How many posting-houses, as contra-distinguished from houses where there were committee-rooms; how many in all were there?—I have made no estimate.

2010. Whatever number there was, were there numerous private houses as well as public-houses taken for the purpose?—Wherever a good situation offered.

2011. And you had perambulating means of advertising besides?—We also had advertising stations; we took them.

2012. I suppose it is found to be the more economical plan to placard the houses, both public and private, than merely to post the bills and placards on the walls?—Yes; for the bill-stickers seem to delight in tearing them down, or to paste others over them.

2013. If you take a private house, you can preserve it?—Yes; no one could believe the number of bills that were printed; no sooner were the bills up than they were down again.

2014. On the private houses they were allowed to remain?—Yes.

2015. And you paid a certain consideration for the use of those houses so opened?—Yes; and generally speaking a very small one.

2016. I believe the parties themselves were dissatisfied in almost every instance with the amount they received in respect of that?—I think in most of those pay-sheets we struck off an item introduced for cleaning down the house.

2017. And they expressed their dissatisfaction at the amount they received; the houses required painting, and they made higher demands on you than you ever agreed to pay, or did pay them?—That is so.

2018. Can you tell me this: do you know whether any of the persons whose houses were so used as posting-houses were voters or not?—I do not know the fact; they were not taken with such view.

2019. But you cannot tell me whether here and there there might not be an instance of a voter's house being so taken?—It might happen so.

2020. But they were taken indiscriminately with regard to their position?—Yes.

2021. Who took them, or was it done under your authority?—It was suggested that that was a very good plan, and they were taken.

2022. You are a native, are you not, of Lambeth, and have lived there all your life?—Yes.

2023. And I believe your father and your grandfather before you?—Yes.

2024. Was that the case also with Mr. Roupell; were your families acquainted from the earliest time?—Not much; they knew one another.

2025. But they were not intimate?—No.

2026. As the time of the election approached, you were not acting as the private solicitor of Mr. Roupell?—I was not.

2027. When was any application first made to you on the subject at all?—Mr. Roupell waited on me and Mr. Doulton, and I think there was somebody else; a Mr. Hill.

2028. Do you remember when, about, that was?—It would be probably two days before Mr. Roupell's address.

2029. On the 10th of March?—About that time.

2030. And an application was made to you to act on his behalf, and you were appointed the election agent on that occasion?—Yes.

2031. And you consented to act?—Yes.

2032. And

2032. And promptly began to organise your means of action, in order by all legitimate means to return Mr. Roupell?—That is so.

2033. What was really done in the first instance; were the other candidates beforehand in the field with you or not?—Mr. Wilkinson had called on me a week before.

2034. Were the other candidates in the field before Mr. Roupell?—Both of them.

2035. You having consented to act, and Mr. Roupell having put himself forward as a candidate, what means were taken to secure Mr. Roupell's return?—After Mr. Roupell had received a requisition (there was a requisition in progress), and had published his address, it was necessary to make a bold start, and we went to the Horns, which is our central locality, and I found the principal rooms were all taken by the other side.

2036. I will not say, by your opponents, but the other candidates, I believe?—Yes.

2037. And thereupon you took the best room you could get?—We got a side room.

2038. They say it is all front?—We got the worst room in the house.

2039. But you all had committee-rooms there?—Yes.

2040. There was another little house opposite that was occasionally used as an off-shoot?—It was found that there was no room in the Horns.

2041. Was there any other close by?—It was found that there was not accommodation in the Horns for the clerks, and we took a room over a beer-shop, the Park Tavern, merely for the purpose of the clerks getting the canvassing-books in order, and also for addressing the circulars; we had a great staff of clerks.

2042. I believe in the first instance you tried to obtain committee-rooms by the day?—Yes; the Horns especially was an expensive house.

2043. Do you mean by the day?—By the day.

2044. Finding that the houses would be so expensive per day, did you adopt the system of engaging them by the week?—We found we got them cheaper.

2045. And there were some weeks during which this election was proceeding, and must be going on?—Yes.

2046. In any case did you pay any exorbitant rate of charge either for committee-rooms or for posting-houses?—We complained of the Horns Tavern, which was the very large sum of 86 *l.* for the actual use of the rooms; it was the regular charge, but still very heavy.

2047. Do you know whether you paid more or less for the use of your committee-rooms than your competitors did?—Certainly not; we paid the customary fees.

2048. Is that the only house of which you have to complain of the rate?—Yes.

2049. They tried to charge you for a longer period, but in other respects, as far as the actual rate of payment went, there was no ground of complaint?—No.

2050. You disallowed it where there was any overcharge made?—Yes.

2051. Have you been long enough resident in Lambeth to know that on previous elections a very small proportion of the constituency had voted?—Very small.

2052. I believe, prior to this time, you had not acted in any professional capacity at elections?—I had not interfered with them.

2053. Did you ascertain, at all events, that there had been but a small proportion of the constituency who voted at previous elections?—Very small; Mr. Wilkinson polled but 4000, which was the largest we had ever had in Lambeth.

2054. Did you consider it necessary, and Mr. Roupell consider it necessary, by reason of that, to send a copy of his address and a canvassing card to every elector of the borough?—Mr. Roupell wished the thing to be properly done; he said he should like to have a good canvass made, and be returned by as large a majority as he could get.

2055. Do you know what the actual cost of sending a circular to every elector was?—I believe it was 200 *l.*

2056. As agent for Mr. Roupell, what were the express instructions you received?—Mr. Roupell, on the first occasion I saw him, mentioned with regard to the Corrupt Practices Act; he said he was told it was very strict, and we must be very careful in what we did; he said some friend had told him it was necessary to be very guarded.

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2057. I asked the express instructions you received from Mr. Roupell on this matter; you say he told you the Corrupt Practices Act was a very stringent Act, and that you must be extremely careful in what you did?—That was the substance of what he stated at the first interview I had with him.

2058. Did he say you were to promote his election by every legitimate means, and by none other?—Yes.

2059. Now let me ask you whether it was by his authority, or your own instance, that you did obtain a number of copies of the Corrupt Practices Act?—Yes; I think they are in the account; I obtained from Waterlow's, the stationer's, copies which amounted to 6 *l.* 15 *s.*

2060. I want to know whether that was from instructions you received from Mr. Roupell, or as his agent?—Carrying out his instructions.

2061. And were those distributed to the various committees?—Orders were given for them, and I believe they were.

2062. Did you have a number of placards printed, containing the clauses in that Act, and giving instructions that those should be placarded about the committee-rooms?—A sheet was published, and orders were given to have them stuck up at each committee-room, and also to be given to the landlord of each public-house.

2063. I believe your employment was mainly at the central committee-room after the proceedings commenced?—I was there daily and hourly.

2064. I do not know whether your occupation or inclination led you to the other committees about there?—Some of them, not much.

2065. Did you see that your instructions had been obeyed, and that copies of the Act were there?—I have seen some of them.

Mr. Serjeant *Ballantine.*] You need not labour that.

2066. Mr. *Johnson.*] Did you send a circular round to the various committee-rooms, giving express instructions as to how they should proceed with reference to that Act of Parliament?—I sent this circular round.

2067. We put that circular in?—"Dear Sir,—As the agent of William Roupell, Esq., appointed under the provisions of the 'Corrupt Practices Prevention Act, 1854,' I deem it advisable to call your especial attention to the provisions of that Act (a print of which has been forwarded to every committee-room), and particularly the clauses against treating and refreshment to voters; at the same time, I beg to inform you I shall wholly repudiate all such acts."

2068. Was that sent round to every committee-room?—I did not take it myself; it was sent round to every committee-room.

2069. I believe that Mr. Roupell appeared in person on various occasions, did he not?—It was thought desirable that he should.

2070. And he attended very large meetings?—Yes.

2071. I suppose you had no room that I can consider an appropriate room for electioneering purposes large enough for these assemblies?—We found all the public buildings were not large enough.

2072. Where did you try?—We tried the public school-rooms, but they were very small.

2073. What did you take?—We took the Victoria Theatre, and the Surrey Music Hall; we had very large assemblies.

2074. Were the assemblies so large that in those extensive buildings there was not accommodation?—At the Surrey Music Hall there was 8,000 or 10,000 who could not get admission.

2075. How many does it hold?—Nearly 10,000.

2076. I do not know when that meeting was?—The accounts will show the date of the payment; it was before the nomination.

2077. Those were the public places that were taken, and I suppose a part of the item of expenditure shows the rent or payment for the use of those rooms?—Yes, we had to pay 45 *l.* for the Victoria Theatre.

2078. Was it not the fact that throughout the borough there was an enthusiastic feeling in favour of Mr. Roupell?—Very enthusiastic.

2079. That is the reason it has been attributed to money?

The *Chairman.*] That is the argument.

2080. Mr. *Johnson.*] Am I also to take it within the knowledge of persons residing

residing there, that Mr. Wilkinson had become unpopular in the borough?—No doubt about it. Mr. *R. C. Barton.*

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2081. Let me go back to what you did with reference to these committees; I suppose after you had acted as agent, and determined on the course that you should pursue, you proceeded with the organisation of your plan for carrying the election out; be good enough to tell me what that was; you met at the Horns?—There was a central committee formed.

2082. Which sat at the Horns?—Yes.

2083. What was done there?—The central committee appointed district committees.

2084. Did they appoint individuals to act as district committees, or did they appoint particular places where district committees should be held?—At the first starting we took about 19 houses in the whole of the borough.

2085. Have you got a list of those; I suppose they were for particular districts; how many districts did you form your whole borough into?—They were in different districts.

The *Chairman* stated that he thought it was unnecessary to have the names of all the houses.

2086. How many districts did those 19 houses represent?—The borough is very extensive; then there are the parishes; and the liberties of the parishes.

2087. Will that card you have in your hand denote the districts into which the borough was proposed to be divided?—First of all.

2088. Then it was divided in the first instance into seven, besides the central; that is eight?—I will take the Marsh and Wall Liberty of Lambeth, which is divided into three parts.

2089. And there were three houses taken for the Marsh and Wall Liberty?—For the different parts of the borough.

2090. Let us take the central, which was the Horns?—Yes.

2091. Had that a canvassing district, or particular political district?—We had a few special canvassers on there.

The *Chairman* stated that Mr. Truman had proved all this before.

2092. Mr. *Johnson.*] What I want to understand from you is this: in every part where there was a district established were the canvassing parties confined to the particular electors within that district?—At the central committee there were applications in large numbers for canvassers, but they thought it not prudent to employ the district canvassers at the central committee-room, and they left it to the district committees to select their own canvassers.

2093. I ask you whether in every instance where a district was formed for canvassers to be employed, were these canvassers confined to the particular locality for which the district committee for the district had been formed?—Yes.

2094. Then you say there were these houses, and these districts formed?—Yes.

2095. At a subsequent time when it was found that the districts were too large, were other sub-committee districts formed?—Yes, that was the plan of our canvass; to have sub-committees appointed; district committees; and then those districts to have sub-district committees.

2096. At first how many canvassers were employed?—I cannot tell that; we have a statement showing it.

2097. Is this information your own?—This account has been made up by other people.

2098. *Committee.*] Has that been made up from the pay-sheets?—Yes, some were only employed one day.

2099. Mr. Serjeant *Ballantine.*] See whether I am right; I make a total of 369, including the 11 of the central committee, from which I deduct 88 for clerks and messengers, leaving the balance 218 for the borough?—Canvassers?

2100. What you call canvassers?—We make it less; we make it 250.

2101. Mr. *Johnson.*] Do you know what was the maximum number at the highest period of the canvass employed on behalf of Mr. Roupell?——

Mr. Serjeant *Ballantine* objected to the use of the document in the Witness's hands.

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The *Chairman* stated that the parties ought to have met, and agreed on a result. He would just state what was proved by Mr. Major; 42 houses, 351 canvassers, including one clerk, and one messenger. From 351 he deducted 84, leaving 267.

Mr. Serjeant *Ballantine* thought 11 ought to be added for the central committee.

2102. Mr. *Johnson.*] Mr. Barton, can you tell me the precise number employed at any time of the canvass?—I cannot answer very accurately; but I will ascertain distinctly.

2103. Can you tell me this; in forming your plan for canvassing the borough, no doubt every elector was to be waited upon?—Yes.

2104. Can you tell me the maximum number of canvassers employed at any one time by Mr. Roupell?—I believe the number to be 212; I have checked from the pay-sheets the numbers; it could be checked by the other side.

2105. By the best means you could adopt, you have ascertained that to be the maximum number of canvassers employed at any one time?—Yes.

2106. Assuming you are right in that figure, how many electors would there be to each pair of canvassers; they went out in couples, I believe?—I have not made any calculation.

2107. That is exclusive, of course, of the messengers and clerks employed as well?—Yes committee clerks.

2108. Whose duties were quite distinct?—Yes.

2109. Does that include the gentlemen who called themselves chairmen, or deputy chairmen, or whatever name they went by?—We classed them as canvassers.

2110. Are they included in that 212?—Yes.

2111. You had a very large proportion of gentlemen acting upon the committees on Mr. Roupell's behalf at the different districts?—Yes; in every district we had the leading men of the borough.

2112. And they were entirely unpaid?—Yes, at every district house; I have a list here of most of the houses, and who acted as chairmen.

2113. Is it complete?—It is not; there are two houses at which the chairmen have not been put down; I have not the rooms. There are about 35. This was made out by myself, referring to the pay-sheets. At the Angel, for instance, there was Mr. Giles; he was one of the guardians, and is a person I know personally. He was chairman of that district.

2114. Who is he?—A gentleman.

2115. Give some other instances of persons who acted as a chairman gratuitously; let us know what their position was in the borough of Lambeth?—The whole of those persons were the most respectable persons residing in the district.

2116. Those are all gentlemen and persons of consideration in the different districts, who acted and were recognised as chairmen and wholly unpaid?—They are not all gentlemen; there is Dr. Bushell and Mr. John Plews.

2117. *Committee.*] But they were all unpaid?—Yes.

2118. Mr. *Johnson.*] And these were persons that you did recognise in the capacity of chairmen?—Yes, quite unpaid, and who gave their services gratuitously; they employed their own canvassers.

2119. There are two in blank, which you have not the means of furnishing?—Yes; not more than two; the Shard Arms and the Salutation; there are 35 altogether.

2120. You have given us a sample of those who were chairmen of committees; can you tell us whether Mr. Roupell had the general support of professional men, clergymen, and persons of that description, in the borough of Lambeth?—I am certain all respectable persons voted for him; and I know the great majority. The rector in our district plumped for him, and all the parish officers. That is an instance.

2121. I don't wish to disparage those who appear on the other side, but did the great majority of people of position in Lambeth support Mr. Roupell?—Yes; if you will refer to the Church-row polling-book, which consists of Kennington, Brixton, and other places round there, you will find we polled there very numerously; and that is the part containing all the merchants.

2122. Now let us go back to the pay-sheets; whatever name they went by you paid them merely as canvassers?—That is all.

2123. You tell us the system was, of which we have been told before, to send in all these accounts on Thursday, they were examined on Friday, and payments made, according to the usual custom, on Saturday?—Yes.

2124. Were those pay-sheets, when under examination on Friday, examined in your presence?—Yes; Mr. Hogan was appointed as my secretary.

2125. Mr. Truman was also appointed to countersign the cheques?—Mr. Truman who Mr. Roupell had confidence in; he would like to have some control over the election, and it was my wish that it should be so.

2126. Who appointed Mr. Truman?—Mr. Roupell suggested it.

2127. And you adopted him as your trustee?—Yes.

2128. Did you appoint him as your trustee of that fund to countersign the cheques on your behalf?—Yes.

2129. You were principally at the central committee-room; were all the accounts examined there?—Very carefully, by Mr. Hogan; we took him as secretary for that very purpose.

2130. The instructions you gave were to examine those accounts?—Yes.

2131. You gave some authority to do it for yourself; but were you merely present when an examination of the accounts took place?—Yes, I was in the committee-room the greater portion of the time; I felt my position was to be there as much as I could.

2132. The accounts were examined and mainly in your presence; when payments had been made in respect of those accounts, were they immediately submitted to you?—Yes.

2133. Every day?—Yes, the books were produced before me.

2134. That is as far as regards the pay-sheets which speak for themselves; in how many instances does it appear there was an erasure of "chairman," or "deputy chairman," and "canvasser" substituted?—I selected them last night, and I found six.

2135. That is six out of 44?—Yes.

2136. Can you tell in whose handwriting the correction of the term or the designation of the person was; by whom that correction was made?—By the secretary.

2137. By Mr. Hogan?—Yes.

2138. In those you examined the correction was made by Mr. Hogan?—Yes, I believe it is in his handwriting.

2139. As far as regards the pay-sheets, they speak for themselves, but there are various items; stationery and things of that sort, which were goods supplied on Mr. Roupell's behalf?—Yes.

2140. Were the goods ever supplied at all except upon order from the central committee-room?—No; every care was taken by having a book with an order; in fact, no goods were sanctioned unless that was signed by the secretary, "Deliver to Mr. Roupell," certain goods.

2141. There was a delivery order signed by the secretary before you even recognised the order?—Yes.

2142. Then let us suppose the goods sent in; what was the next process before payment was made?—They were obliged to get them checked in the committee-room and enter them in a book, which was called the order book, and then they had a receipt book showing that it was right.

2143. What did the persons supplying the goods do?—They were required to send in their accounts, and no accounts were acknowledged unless they were delivered there on a Thursday, and then they had payment on the following Friday.

2144. Have you been able to test very accurately the goods that had been supplied on Mr. Roupell's behalf?—There was a check on every expense.

2145. Are there some disputed accounts besides what you have mentioned, and which have not been recognised and not been paid?—A number of them.

2146. Were those sent in to the election auditor?—Yes.

2147. Now, take the pass book, let us get this distinctly understood; you furnished as expenses, prior to the nomination, a sum of 2,610 *l.* 17 *s.*?—I did.

2148. That was rendered to the auditor on the day of nomination in accordance with the Act?—Yes.

2149. Did you, since that, pay by the express authority of the auditor 1,893 *l.* 9 *s.* 3 *d.*?—I did.

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2150. It has been proved by the auditor himself in your presence that he paid 834 *l.* 13 *s.* 8 *d.*?—Yes.

2151. The total of that is 5,339 *l.* -*s.* 1 *d.*?—Yes.

2152. That does not include the auditor's charges, which of course have to be added?—Yes.

2153. Those are a certain sum and a per-centage on the amount?—Yes.

2154. Now, omitting for a moment the amount of the auditor's fees or charges, whatever they may be, is the total cost of Mr. Roupell's election included in that 5,339 *l.* -*s.* 1 *d.*?—It is.

2155. And do you mean, or have you any claims to be paid plus that, in respect of this election at all?—Certainly not.

2156. Refer to the pass book for a moment. As I understand, there was a balance which was not required and not covered by cheques drawn in the manner that we have mentioned, of 170 *l.* odd?—Yes, that is so.

2157. Was there also cash in hand which had been drawn out of the bank, which had not been required for payments made by you or by your authority?—I do not understand the question.

2158. Was there a balance paid over to Mr. Roupell?—Yes, this balance and some other, amounting to 300 *l.*

2159. Was a total balance of 317 *l.* paid over to Mr. Roupell?—£. 317 13 *s.* 7 *d.*

2160. Was that balance made up of the 170 *l.* odd at the bankers', lying unemployed, and the cash balance drawn out of the bank, which was in hand?—Yes.

2161. Was that paid over to Mr. Roupell?—Yes.

2162. Did you obtain his receipt for that money?—Yes, he gave me a receipt.

2163. You are charged with having bribed a large number of persons; did you ever pay a shilling to a man, either to vote for Mr. Roupell, or to refrain from voting for anybody else, from the first to the last?—Most certainly not.

2164. Or promise?—Nor promise, nor anything of the kind.

2165. Nor offer?—No offer nor inducement; it was perfectly unnecessary in such a place as Lambeth.

2166. It was stated by Mr. James, in his opening, that Sunday was a busy day in that election, imputing that it was with Mr. Roupell's agents employed on his behalf; was that the fact?—I am quite confident no man was at our central committee-room on Sunday; there was no movement whatever on the Sunday.

2167. Do you know whether at any of the committee-rooms, or in any way, persons were employed on Mr. Roupell's behalf for that election on the Sunday?—I believe not. I am confident it was not the case.

2168. There was one question I ought to ask you; it has been suggested that a person is keeping out of the way; do you know anything of Tredre?—The only thing that I know is, that he has written to Mr. Roupell, complaining that he has not been paid.

2169. Are you keeping that man out of the way, or do you know where to find him; or have you given the best information you can as to where he is to be found?—I most solemnly declare I do not know where he is to be found.

2170. Or anybody belonging to him?—I have given every instruction, if they could find him, to endeavour to induce him to come.

Re-examined by Mr. Serjeant *Ballantine.*

2171. You have told my learned friend that Mr. Roupell had confidence in Truman; was it Mr. Roupell that introduced Truman to you?—Certainly.

2172. Did you find that Mr. Truman and Mr. Roupell had talked over the money arrangements of the election before he was introduced to you?—No, I did not. Mr. Roupell introduced Truman to me, and spoke of him as a person in whom he had great confidence, and it was my wish that Mr. Truman was put as a trustee.

2173. Did you find that Truman and Mr. Roupell had discussed money matters before Truman was introduced to you?—No. Mr. Roupell would have entrusted the whole matter to my hands, but I said I would rather not have the handling of any money.

2174. You do not quite answer my question; did you find that any discussion had

had taken place between Mr. Roupell and Mr. Truman, before you were introduced to Mr. Truman, upon money matters?—I did not find it. Mr. *R. C. Barton.*

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2175. I want to ask you this question: have applications been made to you by different persons for payment, independent of those matters which appear in the accounts?—Those I have mentioned in the disputed accounts which I have rendered to the auditor.

2176. Has a person of the name of Burgess applied to you?—Yes, he is returned; Mr. Burgess is returned for 8*l.* 1*s.*

2177. Did you tell Mr. Burgess that you could not pay him while this petition was going on?—We refused to pay him, and I returned his account to the auditor.

2178. Did you say that you could not pay him while this petition was going on?—Certainly not.

2179. Did you say anything of that kind to Gilham?—I do not know Gilham.

2180. Do you know a house kept by a man of the name of John Bailey, or in which John Bailey was a committee-man?—Will you tell me the sign?

2181. It was at a place called the Pilgrim Tavern, Westmoreland Row, Walworth?—John Bailey seems to have been the chairman.

2182. What do they call him?—He is scratched out, and is a superintendent canvasser.

2183. Is that the one attention has been called to already?—Yes.

2184. He was a paid canvasser, was he not?—He is put here superintendent canvasser.

2185. Is that what is interpolated?—Yes.

[The Witness was directed to withdraw.

Mr. *John Bailey*, sworn; Examined by Mr. Serjeant *Ballantine*.

Mr. *J. Bailey.*

2186. WERE you once a Publican?—Yes.

2187. Do you live opposite the Pilgrim Tavern, Queen's-row, Walworth?—Yes.

2188. Are you a voter?—Yes.

2189. Did you vote for Roupell?—Yes.

2190. Plumped, I suppose?—Yes.

2191. Were you chairman of a committee held at the Pilgrim?—Yes.

2192. Were you paid for it?—Why, we had something for it.

2193. Were you paid for it?—Yes.

2194. *Committee.*] Did you get any pay?—Yes.

2195. Mr. Serjeant *Ballantine.*] You got paid for being a chairman of a committee.

Mr. *Slade* objected to the question.

Mr. Serjeant *Ballantine* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that the question ought not to be put.

2196. Mr. Serjeant *Ballantine.*] You say you were paid; how much were you paid?—I had 10*s.* a day for some time. I was not paid every day.

2197. For 11 days?—No, I don't think I had.

2198. Are you sure?—I was not paid for all the days I was there, by a good many.

2199. What were you paid for?—I was canvassing every day; I was there.

2200. You were paid 10*s.* a day for canvassing?—I had 10*s.* a day.

2201. Was it for canvassing?—I had the money; I went out a canvassing.

2202. Were you paid 10*s.* a day for canvassing?—I was paid 10*s.* a day for being there.

2203. For being where?—At the Pilgrim, and going out canvassing.

2204. For the two things together?—Yes.

2205. How many people did you canvass?—That is out of number; I cannot recollect that.

2206. Can you name any person you canvassed out of the Pilgrim?—Yes.

2207. Name one that you canvassed out of the Pilgrim?—I could name a great many, I think.

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2208. Mr. *Slade.*] Have you got any canvass-book?—No; I was taken from the city this morning; I was not aware I was coming here five minutes before I came.

2209. Have you got a canvass-book?—Yes, at home.

2210. Mr. Serjeant *Ballantine.*] You cannot give me any one name from your recollection?—Yes, Mr. Charlton.

2211. You describe yourself in the bill as Mr. John Bailey, "chairman," and you signed "John Bailey, chairman"?—Yes.

2212. Just tell me whether you know anything about that erasure?—No, I do not.

2213. Were you ever told of it?—No.

2214. Were you ever told you were not to call yourself "chairman"?—No, I don't recollect that I ever was.

2215. *Committee.*] Did you take those sheets in yourself to the Horns?—Yes.

2216. Mr. Serjeant *Ballantine.*] Is your name at the bottom?—Yes.

2217. Mr. *Slade.*] Is that your writing?—Yes.

2218. Mr. Serjeant *Ballantine.*] Is that your handwriting, or not?—Yes, it is.

2219. On looking at those charge sheets, you find you received payment from the 18th to the 30th; I suppose these are accurate?—Yes.

2220. You have William Webb, William Head, and George Smith; were they upon the committee?—Yes.

2221. Were they all voters?—No; Mr. Smith was not, I think.

2222. The other was?—William Head.

2223. William Webb?—There was not a William Webb; I think not.

2224. William Head, William Knibbs, and John George Smith?—Yes.

2225. And Thomas Smith?—Yes.

2226. Were they all voters?—No.

2227. Which of them was not?—Thomas Smith; he was not a voter; one of the Smiths was not a voter.

2228. These were all paid?—They were all paid; two of them were not voters.

2229. *Committee.*] They are the canvassers?—Yes; canvassers but not voters.

Cross-examined by Mr. *Slade.*

2230. I see your name is down here on one of these sheets as superintendent canvasser; was that your duty?—That was my duty; I was a canvasser every day.

2231. Were you the head of the canvassers' meeting at the Pilgrim; Yes, I was; I was out canvassing every day.

2232. Did you actually perform the duty of a canvasser?—I did.

2233. Day by day, as you were required?—Yes.

2234. And it was no slight duty in your district?—No, it was not; I know the district better than any one of my canvassers; I went over the ground after them.

2235. I want to ask you if the same course was adopted in your district, namely, that your canvassers took the votes of those parties who intended to vote for Williams and Wilkinson, as well as those who intended to vote for Roupell?—I gave strict orders for that.

2236. So that after the day's work was over you were able to tell how many votes there were for Roupell, how many for Wilkinson, and how many for Williams?—Quite right.

2237. Were those returns for Roupell, Wilkinson, and Williams sent in day by day to the central committee at the Horns?—Yes, they had two sets of books; one set went up, and another came back.

2238. So that you were canvassing for Williams and Wilkinson as far as results went?—Yes.

2239. And if his friends had gone to the central committee at the Horns they would have found the result of the election?—Yes.

2240. You knew pretty well before the election, if the parties acted up to what they had returned to the canvassers, how the election was going?—Yes.

2241. It was Lombard-street to a China orange in favour of Roupell?—Yes.

2242. You

2242. You were cut off a good many days' services?—Yes.

2243. You were taken off the Tuesday and Wednesday after the poll, which were not allowed?—No.

2244. Beginning March the 26th, you charged 4 *l.* 10 *s.*, and only received 3 *l.*?—Yes.

2245. Just see if you were not allowed 50 *s.*?—Yes.

2246. And did they take the same precautions at your committee-room that appear at all the others, of supplying you with a copy of the Bribery Act, and the clauses from that Act?—Yes, we had the Bribery Act on the table.

2247. And the clauses taken out and posted all round the room?—Yes.

2248. So that everybody who was able to read might see what they might do, and what they might not do?—Everybody; Mr. Roupell came to the room himself, and he looked round to see directly.

2249. And in addition to that, you had a circular from Mr. Barton, calling your attention to these Acts, and the clauses accompanying the Acts?—Yes, we had.

2250. So far as you are aware, you have been, I suppose, engaged in Lambeth elections before now?—Yes; I was in St. George's for many years.

2251. Is that in Lambeth?—No; St. George's, Southwark, I mean; I lived there many years.

2252. In the course of your experience did you ever know an election, either in Lambeth or in Southwark, where so much care was taken to act within the law?—As far as I know, I must say I never did.

2253. Every care and every precaution was taken that you should not go beyond the limits of what the law allows?—Yes.

2254. As far as you know, you did not exceed those limits?—I did not.

2255. Nor no one in connexion with you?—No one did belonging to our committee-room.

2256. With the exception of a little chaffing, it was quite a dry election?—Rather a dry one.

2257. Did you find, in the course of your canvass, that there was a very strong feeling in favour of Mr. Roupell?—Yes, I did; Mr. Roupell was a neighbour, and born amongst them, and every one seemed to know him pretty well; that caused a great deal——

2258. Did you find a strong feeling in favour of Mr. Roupell?—I did; if I was aware of coming here, I should have brought my books to show it.

2259. You say Mr. Roupell was born among them, and was one of them?—Yes.

2260. That operated very strongly on the minds of the electors?—I think so.

2261. One of the witnesses told us that they came in and offered to vote so quickly that they could hardly take their names down; was that so?—I believe it was.

2262. He was the popular candidate?—He certainly was.

2263. And a long way ahead of the others?—His father was a very popular man, and he headed his popularity; I knew his father very well.

2264. There had been a great deal of dissatisfaction in the borough of Lambeth about Mr. Wilkinson's votes?—I do not know.

2265. Now, they charge you with being bribed?—I am sorry for that.

2266. They say Mr. Murphy bribed you, that gentleman (*pointing to Mr. Murphy*); did you ever touch any of his money?—No.

2267. Did anybody bribe you at this election?—I never was bribed in my life.

2268. Did Mr. Buckland bribe you?—No.

2269. Nor Mr. Hogan?—No; no one ever bribed me.

2270. What money you received you worked for, and honestly earned?—I did.

Re-examined by Mr. Serjeant *Ballantine.*

2271. Have you ever been on a committee in any other election?—Yes, I have.

2272. Have you ever received 10 *s.* a day for that?—No.

2273. Were you ever paid as committee-man, or in any other capacity, before the present election?—No, I was not; I never engaged myself to a committee until this time, and I should not now, but I was chosen.

2274. I understood you acted as committee-man?—Yes, a great many times.

 2275. But

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2275. But never was paid?—No.

2276. When Mr. Roupell came into the room, and saw all these Acts of Parliament plastered up, what did he say?—He appeared to be pleased to see things going on in a quiet way.

2277. Did he make any observations about the Act of Parliament?—No, he did not.

2278. You have had your attention called to something being struck off your account; I find that, up to the last account, you charged 10 *s.* a day, but in the last you have charged 15 *s.*, and it is the odd 5 *s.* is knocked off?—Yes, that is quite just.

Examined by the *Committee.*

2279. You say you have been on a committee before, and have never been paid: what kind of committees were they?—They put me on a committee every Parliament since I have been in Lambeth.

2280. On any of those former occasions did you do some work in canvassing and in keeping the canvass-books?—I never went out canvassing at all before this election; I think they put me on because I have got a little house property, and there are a good many voters upon it.

2281. You never on any former occasion took the same trouble that you did on this?—I never took the trouble of going round canvassing.

[The Witness was directed to withdraw.

William Roupell, Esq., a Member of the House, sworn; Examined by Mr. *Slade.*

W. Roupell, Esq., M. P.

2282. YOU are the sitting Member for Lambeth?—Yes.

2283. You were elected at the last election?—Yes.

2284. Were you born and reared in Lambeth?—I was.

2285. And have been known nearly to everybody in Lambeth since your birth?—I have been known to a great number of people.

2286. I believe it was represented to you, on the occasion of the late dissolution, that some of Mr. Wilkinson's votes had given dissatisfaction in Lambeth, and you were asked to stand?—I heard some dissatisfaction had been expressed against both the sitting Members.

2287. And you were asked to stand?—Yes.

2288. I believe you employed Mr. Barton as your election agent for expenses under the Act of Parliament?—Yes.

2289. Did Mr. Barton and yourself make yourselves perfectly acquainted with the law as it stood with reference to the stringent provisions of the Corrupt Practices Act?—We did.

2290. I believe you opened an account at Barclay's?—I did not.

2291. Was money paid in?—I paid the money to the persons named by Mr. Barton.

2292. Mr. Truman and Mr. Hogan?—Yes.

2293. As a committee for conducting the finances?—Yes; we styled those gentlemen the finance committee.

2294. Was the money paid by you to them, or was it paid into the bank?—It was paid to them for the purpose of being paid into this bank.

2295. Who paid them?—I paid them.

2296. I do not know if you have got any memorandum?—I have prepared one.

2297. Let me refresh your memory?—There is one that I prepared myself.

2298. Did you pay the sum of 1,000 *l.* to them, or either of them, on the 16th of March?—I did.

2299. Did you pay another sum of 1,000 *l.* on the 20th of the same month?—Yes, on the 20th of March.

2300. Did you pay 1,272 *l.* on the 27th?—Yes.

2301. One thousand four hundred on the 2d of April?—Yes.

2302. One hundred and fifty pounds on the 6th of April?—Yes.

2303. Was there a sum of 317 *l.* returned to you on the 2d of May?—Yes.

2304. Out

2304. Out of those sums?—Yes.

2305. Did you pay the election auditor the sum of 1,000 *l.*?—I paid a total amount of 1,000 *l.* to the election auditor. Payments were made on the 7th of April and the 17th of April, amounting to 1,000 *l.* I believe there is a small balance coming to me from the auditor, after deducting his commission.

2306. I see the sums, after taking credit for the 317 *l.* 13 *s.* 7 *d.*, returned to you, which you paid to the finance committee, amounted to 4,504 *l.* 6 *s.* 5 *d.*?—Yes.

2307. Did you pay those gentlemen any other sum besides what you have told us?—No.

2308. Did you pay any other person, with reference to this Lambeth election, any other sum, or any sum?—No.

2309. Have you held out any expectation to any one that they should receive any other sum of money from you with regard to this Lambeth election?—I have held out no such promise, either directly or indirectly.

2310. Do you intend, whether you held out a promise or not, to pay any other sum of money save those sums of money which you have already paid to your finance committee?—It is not my intention to pay any illegal claims.

2311. Do you know of any legal claims besides what have been sent in?—I do not know of any. I have heard of some being sent to the election auditor. I have not seen him, and I do not know what they are. If it is legal for me to pay those accounts, and the auditor says I am to pay them, of course I shall pay them.

2312. Were your instructions to your committee and your agents to keep within the law strictly?—I gave express instructions upon that subject. I was particularly anxious that we should not infringe the Act in the slightest particular. I wished to owe my election to fair and honourable means only.

2313. Have endeavours been made to induce you to compromise this petition?—I should like to ask the opinion of the Chairman, if I might presume to ask his opinion on such a subject. Certain communications have been made to me; improper overtures.

The *Chairman.*] Does that become in any way connected with the petitioners?

Mr. *James.*] I must object to that.

The *Witness.*] They directly criminate a person now present.

2314. Mr. *Slade.*] Did Mr. Cross call on you?—Yes; that very active person, the leader of the opposition.

2315. What did Mr. Cross propose to do?—Perhaps I had better state the facts in my own way.

2316. The *Chairman.*] Take care not to state any facts which you do not consider connected with the parties who are petitioners; do not give an account of anything dropped at random?—I am not anxious to make this disclosure.

2317. We should have anything connected with the petitioners; state whatever was done by this gentleman who is acting on the part of the petitioners?—Seeing him here present, face to face, I take the opportunity of stating what proposition he made to me: on the night before the Committee was struck, when I was sitting in my place in the House, Mr. Cross sent in a messenger to me with a message, that a friend wanted to speak to me; I went out, and Mr. Cross was standing in the lobby, waiting for me; he conducted me to a small room at the back of the refreshment-stall in the lobby, and he stated that he had just left the Messrs. Harrison, or had not left them more than 10 minutes, and that they were desirous to withdraw the petition, if I would simply indicate that it was not my intention to proceed against them for the costs. I stated, in answer to that, that improper overtures had already been made to me, and I had given a very decided answer to such overtures; that I had been asked to give a distinct promise not to proceed for the costs, and I had given a very decided reply to that. He then said, "That was badly managed; you have only simply to indicate that you will not proceed against the petitioners for the costs, and the matter will be at an end; they are not desirous of proceeding with the petition, and I believe members of the same firm are passing very harsh terms one to the other."

2318. Mr. *Slade.*] Did you tell Mr. Cross what the other improper overtures were?—I did.

2319. Now tell us?—I believe the parties are not present.

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2320. Never mind, whatever you told Mr. Cross——

2321. *Committee.*] Mr. Cross told you he came from Mr. Harrison?—Yes.

2322. Mr. Harrison is the agent of the other side?—Yes.

2323. State whatever you told Mr. Cross. You need not say who the individuals were who made the former proposals, because they could not be affected by a statement in their absence?—I stated, in the first instance, that I had reason to believe that the petition was lodged for no other purpose than to drive me to join the South London Railway. I then stated that such an opinion was supported by one of the principal shareholders of that railway, a gentleman who had, on more than one occasion, taken the chair at public meetings held for this railway, and who was at the same time chairman for the defeated candidate in the late election for Lambeth. I stated, that he had waited on me in the lobby of the House; and, with a good deal of trepidation, stated he was authorised and requested to wait upon me, and offer to withdraw the petition lodged against my return, on the condition that I would become a director of the railway, and assist them, with my influence in the House, to obtain the Act next year.

2324. Mr. *Slade.*] With your influence as a Member?—Exactly.

2325. What next?—I said that I considered it a great insult to make such a proposition to me. I cautioned him not to mix himself up with such an indifferent set as all those persons were who were connected with this petition, and I said that hitherto he had conducted himself as a gentleman.

2326. This was to Mr. Cross?—Also I stated, that it was simply out of respect to the manner in which he conducted himself during the last election, or otherwise I should most decidedly have kicked him.

2327. Or brought him before The House?—No, I did not; I contented myself with that suggestion. I immediately took the advice of one or two experienced Members of the House as to the advisability of bringing the matter before The House as a breach of privilege. It was my wish to do so, but I was advised by one or two Members not to do so, because it would appear that I was making use of this communication for the purpose of crushing the petition in its infancy, and thereby evading an inquiry into this petition. That was the sole reason that deterred me from bringing it before The House. I had a great desire to denounce the whole plot.

2328. You say you stated all this to Mr. Cross?—I did.

2329. And you stated the name of the party to Mr. Cross?—Yes.

2330. Which name you have not given us to-day?—I have not.

2331. What did Mr. Cross say when you went into this detail?—He said it was badly managed.

2332. Then you say Mr. Cross proposed to you to withdraw the petition if you would consent to forego any claim on them for costs?—If I would simply indicate that I would not proceed against them for the costs. My answer was, that I would give no promise to them, and I would have no communication with them; that it was my intention to push forward the petition, and to seek for inquiry into the election so as to wipe away the disgrace which I considered to be inflicted, not only on myself, but the constituency I represent.

2333. Am I to understand that you intimated to Mr. Cross that no consideration should induce you to consent to this inquiry being stifled?—I used the very strongest expressions I could think of.

2334. To that effect?—Yes.

2335. That no consideration should induce you to consent to this inquiry being stifled?—I said, my own friends wished me to allow the petition to be withdrawn; but I said people in the House had an exaggerated notion of the expenditure made in Lambeth, and every now and then people were stating that I was sure to be unseated; that there were 20 cases of bribery, and that I had distributed 6,000 cards for gin and water, with my initials in the corner. All these were stated as facts to unseat me. I felt desirous of an inquiry into the whole question, and, against the advice of my own friends, I persisted in this inquiry.

Cross-examined by Mr. *James.*

2336. Six thousand glasses of gin and water. You had no communication with Messrs. Harrison at all?—I had no communication with Messrs. Harrison, except their recognised agent.

2337. Be

2337. Be kind enough to answer the question; had you any communication with Messrs. Harrison, of Walbrook?—I had no other communication with Messrs. Harrison than that which I have stated.

2338. Had you any direct communication with Messrs. Harrison, of Walbrook?—No; I never saw them till I saw them in the committee-room.

2339. Have you had any communication with either of the petitioners?—I never saw either of the petitioners to my knowledge.

2340. With regard to this conversation with Mr. Cross, when was the petition presented; do you remember the day?—I do not recollect the day.

2341. When was this conversation?—The night before the committee was struck.

2342. The petition had been presented for some time?—Yes.

2343. Did you begin by telling Mr. Cross of this sort of negotiation about the South London Railway; you told him that?—I told him that which I have stated to the Committee after he had made his communication.

2344. Who was that?—I am anxious not to be hard in my statement; the person who made the communication to me, has written to say, that he considered that a confidential communication; he wrote to me in answer to a letter, in which I stated that it was my intention to make use of the revelation he had made, either to The House or the Election Committee, and he wrote back to say that it was a confidential communication. Now, can such a communication be considered confidential? I made no promise of secresy.

2345. Mr. *Slade.*] Was it confidential at the time it was made to you?—I made no promise of secresy; he did not give me time.

2346. Mr. *James.*] You have been narrating the facts already, have you not?—I have.

Mr. *Slade.*] Mr. Cross knows the name, because it was told him.

Mr. *James.*] Do not say that.

The *Witness.*] I am sorry the gentleman who made the communication to me was selected, because throughout the election he acted as a gentleman and man of honour. I am only sorry that he should be contaminated.

The *Chairman.*] The Committee think whatever the scruple may be when they know what the nature of it is, it is right they should know the name of the party.

Mr. *James.*] They should.

The *Witness.*] There is no doubt the person making the communication to me intended it to be a confidential communication, and I should not wish, if it can be construed into an implied promise of secresy, to break through a matter of honour and confidence.

The *Chairman.*] The Committee think it is not the time now for your scruples to prevail.

Mr. *James.*] In justice to Messrs. Harrison and the Petitioners, I must ask for it, because they had no communication—[To the *Witness*]—What is the name?

Witness.] Mr. Rhodes.

2347. What is he?—A hop merchant in the Borough-road, and he was chairman of Mr. Wilkinson's committee.

2348. He is not a petitioner?—No.

2349. When was this?—I think it was the last Thursday in June.

2350. You say it was a proposal to join the South London Railway; is he connected with it in any way?—He is a large shareholder, and has identified himself to a very great extent with the scheme by canvassing a great number of the vestrymen of the parish of Lambeth. He has been joked a great deal about his being very much interested in the railway, as the railway went through his drawing-room, and they were going to compensate him very largely.

2351. Who was the chairman?—I am not aware.

2352. When did Mr. Rhodes open this communication with you?—An improper communication was made to me on the last Thursday in June; on the previous Tuesday he had waited on me simply with reference to the railway.

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2353. When was this communication made?—The improper communication was made the last Thursday in June, as well as I can recollect without the papers before me.

2354. By a letter?—No, the offer was made *vivâ voce*.

2355. By Mr. Rhodes himself?—Yes.

2356. Was it confidential or not?—I made no promise of secresy.

2357. Did he?—I have no doubt he intended me to preserve secresy.

2358. Did he say anything?—He was very nervous, and in great trepidation, apparently conscious that he was about to make an improper overture.

2359. Did he say anything about its being confidential in his trepidation?—He made no request of secresy, but still from his manner I think he intended it to be a confidential communication; the very nature of the communication would suggest that.

2360. Who was it you were going to kick; was it Mr. Rhodes?—You have slightly mistaken my words. I said, had I not known him to be a gentleman, and conducted himself as a gentleman throughout the late election, although he was engaged on the opposite side, I should most certainly have kicked him.

2361. Does that apply to Mr. Rhodes?—Yes.

2362. Did you see him more than once?—On a previous occasion.

2363. On the same subject?—Not on the subject of the improper communication.

2364. Did you see him after this communication?—I did not; I have not seen him since.

2365. Not from that time?—No.

2366. Have you had written communications with him?—Yes; I wrote to him first to say that I intended to make use of his communication, and he wrote to say it was a confidential communication, acknowledging he had made the communication.

2367. Have you got that letter?—Yes.

2368. Is it here?—Yes.

2369. It is important to show whether Messrs. Harrison or the petitioners were in any way connected with it; have you got a copy of your letter to him?—I have.

2370. Just read your letter?—This is a copy made by myself.

The *Chairman* stated, the Committee were of opinion that the letter was not admissible in evidence, because it referred to a party who was not present.

2371. Mr. Rhodes voted for you?—I am not aware; my impression is, that he voted for me and Mr. Wilkinson.

Re-examined by Mr. *Phinn*.

2372. He was the chairman of Mr. Wilkinson's committee?—He was. Of course he was not the only chairman of Mr. Wilkinson.

2373. But he was chairman of one of his committees?—He was one of his most influential men.

2374. Was Mr. Harrison, the gentleman who is now one of the agents, the chairman of the central committee for Mr. Wilkinson?—Yes.

2375. I see Mr. Cross is returned as one of the agents to the petition?—Yes.

2376. *Committee.*] All you stated, up to the production of that letter to this gentleman, had been stated in conversation to Mr. Cross?—Yes.

2377. That you told to Mr. Cross?—That which I have now stated to the Committee, I told Mr. Cross.

[The Witness withdrew.

Mr. *Hogan* and Mr. *Murphy* were tendered for examination by Mr. *Slade*, but no questions were asked them.

[Adjourned till To-morrow, at Eleven o'clock.

Mercurii, 15° *die Julii*, 1857.

ROBERT INGHAM, Esq., IN THE CHAIR.

Mr. *Joseph Tredre*, sworn; Examined by Mr. *James*.

Mr. *Joseph Tredre*.
15 July 1857.

2378. WHAT are you?—By trade a currier.

2379. You came up here in custody of the Serjeant?—In the custody of some gentleman; I do not know who he is.

2380. Where did he find you?—Well, I met the police constable, and surrendered to him.

2381. When did he meet you?—Yesterday.

2382. Where have you been stopping?—At various places.

2383. Can you tell; where did you stop last night?—Here.

2384. The night before?—The night before I slept at 37, Albany-road.

2385. At the Lambeth election do you remember being present at the Surrey Canal Tavern, kept by Gilham?—I do.

2386. Were you employed in any way at the election?—I was.

2387. In what capacity?—As a canvasser.

2388. By whom?—By Mr. Gilham.

2389. Is he the landlord of the Surrey Canal Tavern?—His father.

2390. Was the father the chairman of the committee there?—He was.

2391. Was there a committee there?—There was.

2392. And canvassers besides?—And canvassers.

2393. How many, as members of the committee, were there?—About 13 altogether; they did not all act.

2394. How many canvassers?—Including the canvassers, with the committee, there were about 13 altogether.

2395. Gilham, the father, was the chairman?—Yes.

2396. That was the father of the person who keeps the house?—Yes.

2397. Do you recollect a week before the election being in that committee-room about six or seven o'clock in the evening?—About eight in the evening, or later than that, perhaps.

2398. On that evening did you see Mr. Roupell?—It was earlier than that when I saw Mr. Roupell; you are confounding the times; it was four or five days before the election.

2399. About four or five days before the election did you see Mr. Roupell there?—I did; about six o'clock it was.

2400. Where did he come?—Into the committee-room.

2401. Were you sitting?—Sitting in the committee-room.

2402. Did he come accompanied by any person?—With two other gentlemen.

2403. Do you know who they were?—One was Mr. Doulton, the other was Mr. Murphy.

2404. Did he come into the committee-room accompanied by those gentlemen?—He did.

2405. You were in the committee-room when he came in, accompanied by those gentlemen; who were in the committee-room at the time?—Several other persons.

2406. As nearly as you remember?—Mr. Gilham's father, and a person of the name of Lilley.

2407. Is that James Timothy Lilley?—Yes, very likely one of the canvassers; a man of the name of Dickie, who is also a canvasser.

2408. When he came, did he say anything, or address the people there?—He did; he said, "Good evening, gentlemen; how are you getting on here?"

2409. Who answered; did any one answer?—The chairman said, "Not so well as we could wish; for Mr. Wilkinson was very strong in that part." I think the word he used was, "stronghold;" I think that was the word; at any rate, that was the sense.

Mr. *Joseph Tredre.*

15 July 1857.

2410. What else was said; tell the Committee the whole truth?—One of the gentlemen there said, "What would you suggest, Mr. Gilham?"

2411. Do you know who that was?—I think it was Mr. Doulton.

2412. Did Gilham make any reply?—Gilham suggested that he should open more houses in the neighbourhood.

2413. Was that the publican or the chairman?—The chairman.

2414. Well, what more?—On which Mr. Murphy, the other gentleman, said he would come round in the morning, and look, and see which were the best to open. I am not sure I am giving the words, but I am the substance.

2415. Did Mr. Roupell make any observation before he left, to the best of your recollection?—He said, "Open them all."

2416. Now, were you a canvasser in that district?—I canvassed two days in that district.

2417. After this, did you observe that other houses were opened in that neighbourhood?—I did; but I was not out after that.

2418. However, when Mr. Murphy said he would come out and see in the morning, Mr. Roupell was present; did he hear the whole of that conversation?—He did.

Cross-examined by Mr. *Slade.*

2419. I suppose, Mr. Tredre, you have been keeping out of the way for some purpose best known to yourself?—Yes.

2420. Was it to see who would pay you the best?—That was just it.

2421. Did you send a man of the name of Cathie to Mr. Roupell's party?—No.

2422. Did you send nobody?—I sent nobody.

2423. Are you sure?—Yes, quite sure.

2424. Do you know Cathie?—Yes.

2425. Will you swear you did not send Cathie to Mr. Roupell's party, to know whether you could not be paid?—Most distinctly.

2426. What do you mean by saying that you kept out of the way to see which party would pay you best?—I kept away because I did not believe I should be paid at all.

2427. You just now told me that you kept out of the way to see which party would pay you the best?—To be sure; I say so still.

2428. Which party has paid you best?—Nobody has paid me at all; I have been quite unfortunate.

2429. You gave this proof?—Which proof?

2430. That which you have been examined upon?—I did.

2231. Who did you give that to?—To Mr. Cape.

2432. Were you not employed to get up evidence against Mr. Roupell?—No such thing.

2433. Did you go and volunteer your evidence?—No; I was asked to get the names of three committees, and was offered to be paid for doing so.

2434. Who offered to pay you for doing so?—Mr. Cape.

2435. Is that one of the agents?—He is the agent of Mr. Wilkinson, I believe.

2436. And the agent for the petitioners?—That is Mr. Wilkinson, I suppose.

2437. I do not know about that; I have no doubt about that myself, but he does not appear here. You were in custody?—Last night.

2438. It is not the first time you have been in custody?—That is a question I shall not answer you.

2439. I am afraid that gentleman who sits in the middle of the four will say you must?

The *Chairman.*] Yes.

The *Witness.*] Yes, I have been.

2440. Mr. *Slade.*] How often?—Once; once too often.

2441. Was that last year?—Yes, I think it was.

2442. One thousand eight hundred and fifty-six, you know it was?—It occurs so seldom that I do not remember it; I remember such was the case, but I do not remember when.

2443. Perhaps you do not recollect how long you were there?—Fourteen days.

2444. What was it for?—Misdemeanor.

2445. What

2445. What was the misdemeanor?—Illegally pledging a thing that did not belong to me.

2446. Do you know a man called Peter Williams?—I do not.

2447. No such man?—I do not.

2448. Were you ever in custody on any other occasion?—Never.

2449. You are a currier by trade?—Yes.

2450. Do you carry it on?—I have not for some months.

2451. Some years?—Some months.

2452. How many months?—Six or seven; perhaps not so long.

2453. Do you not know that?—I know I worked as long as I had business to do.

2454. How do you get your living now?—I have been living by this election.

2455. Working for one party, and then selling him?—You will find that was not so.

2456. Has that been the only way you have got your living the last six or seven months, by this election?—No.

2457. How have you got your living?—Always honestly.

2458. How have you been getting your living?—Various ways.

2459. Tell us one honest way?—All the ways are honest.

2460. *Committee.*] Mention one?—Sometimes by copying.

2461. Mr. *Slade.*] Who did you ever copy for?—A gentleman of the name of Johnson.

2462. Where does he live?—No. 7, Hollis-place, Kentish Town.

2463. When did you copy for him?—I should think within the last three or four weeks.

2464. How long were you employed?—When he had anything to do.

2465. How much money did you ever earn of Mr. Johnson?—I cannot tell.

2466. On your oath?—I cannot tell you.

2467. Now, try?—I have no idea.

2468. Not whether it is pounds or shillings?—Altogether it has been pounds; recently it has been shillings.

Re-examined by Mr. *James.*

2469. Whether convicted of that misdemeanor or not, who was it employed you as a canvasser for Mr. Roupell's election?—Mr. Gilham.

2470. Had Mr. Gilham known you any time?—Two or three years.

2471. And he employed you as a canvasser for Mr. Roupell?—Yes.

2472. What was this misdemeanor?—Pledging a saw I borrowed.

2473. *Committee.*] You said you kept out of the way in order to see which party would pay you the best?—I said so; perhaps it does not convey my full meaning; I said I should not be paid at all; I would not come unless I was paid.

2474. Did you keep away because of the other parties?—I have had no communication; I have had no direct or indirect communication with either.

2475. There has been no communication made to you, either by the Sitting Member or the petitioners, or any person, to induce you to stay out of the way?—I sent to the person who employed me that if I was paid I should be here; if not, I should not be here.

2476. There has been no proposal from them for you to stay away, and not give evidence?—Not the slightest.

2477. Do you know what you have done by disobeying the order; it depends on the House whether you will not be sent to Newgate?—I hope they will take the most favourable view; I thought I was not bound to attend without a subpœna.

2478. You will be removed in custody, and whatever is done will depend on the mercy of the House; have you had any communication with Mr. Cape?—No.

[The Witness withdrew.

Mr. *John Rhodes* sworn; Examined by Mr. *James*.

Mr. *John Rhodes*.

15 July 1857.

2479. WHAT are you?—A Hop Merchant, in the Borough.

2480. How long have you carried on business there?—Thirty years.

2481. Are you an elector of the borough of Lambeth; I believe your residence is at Brixton, that gives you a vote for the borough?—Yes.

2482. In any interview which you had with Mr. Roupell, or in any communication with him, were you acting directly or indirectly by any authority from these petitioners?—No.

2483. In no respect whatever?—In no respect whatever, neither directly nor indirectly.

2484. Had you any authority from them, or from Messrs. Harrison, or from Mr. Cross, to enter into any negotiation with respect to this petition at all?—None whatever.

2485. Did you ever see them on the subject?—Never.

2486. Any one of them?—Never.

2487. When did you first see Mr. Roupell at all after the election; have you read his evidence given before this Committee?—I have.

2488. In the "Times" newspaper?—Yes.

2489. Have you been subpœnaed by Mr. Roupell to attend this inquiry?—I have.

2490. Have you been in attendance?—Yes.

2491. When had you first any communication with Mr. Roupell, such as he alluded to in his evidence, which you have read in the "Times" newspaper?—The first communication I had with Mr. Roupell was relative to a railway, without any reference whatever to the petitioners, and that was, according to the correspondence which I have here, about a month ago.

2492. It is better; I believe you understand me as not examining you as a witness to the petition, but rather as assisting the Committee; just state to the Committee what that was?—Will the Committee allow me to make a statement.

2493. The *Chairman*.] We do not want that; limit yourself to what you said in cross-examination; you said your communication was about a railway without any connexion with the petition?—That was the first communication I had with Mr. Roupell.

Cross-examined by Mr. *Slade*.

2494. I believe you were chairman of some of the meetings on the part of Mr. Wilkinson at the election?—Yes.

2495. Were you chairman of either of his committees?—Yes.

2496. Were you chairman of the principal committee?—I was chairman of the first principal committee, but afterwards another gentleman took the chair.

2497. You still remained chairman of one of the committees?—Yes, of the district committee.

2498. Was it Mr. Harrison who took your place?—Yes.

2499. He was the other gentleman?—Yes.

Committee.] Mr. Harrison the agent?

2500. Mr. *Slade*.] Yes; do you know these two petitioners?—I do not know that I do know them; I do not even know them personally.

2501. That was done on purpose, of course?—What was on purpose?

2502. That the parties to the petition should not be very well known?—I do not know any of them.

2503. Have you subscribed to the expenses of the petition?—No.

2504. Were you at the meeting at the Horns on the 15th of April?—I have been at several meetings at the Horns.

2505. When it was resolved that a petition should be presented to the House, for the purpose of unseating both or either of the Members?—I withdrew from the committee, and would have nothing to do with the petition.

2506. Were you present?—I withdrew, because I would not have any engagement with that petition at all.

2507. *Committee*.] There was a meeting on the 15th of April, but you withdrew, because you did not intend to have anything to do with the business?—Yes, I was present at the meeting. We met there to consider the propriety of giving a dinner to Mr. Wilkinson; when the subject of the petition was entertained I withdrew, because I did not wish to entertain any subject of that sort.

2508. Mr.

2508. Mr. *Slade.*] Did you not propose some resolution at that meeting?—Yes.

2509. You did?—Yes.

2510. You were present at the meeting held at the Horns on the 15th April 1857?—Yes.

2511. And you proposed a resolution?—Yes; perhaps you have got the resolution?

2512. I do not know that I have.

Committee.—Was that about the dinner?

Witness.—Yes.

2513. Mr. *Slade.*] Who got up that meeting?—I do not know.

2514. Were you in the chair?—No.

2515. Who was?—Mr. Stratton.

2516. Did you receive a circular to attend?—I do not know; I might have received a circular to attend, relative to the dinner; nothing with regard to the petition.

2517. The dinner did not take place that day?—There was no dinner; it was to consider whether we might give a dinner.

2518. And that went off?—Yes.

2519. Was it at that meeting that it was resolved to petition?—I do not know.

2520. You left?—I left.

Mr. *James.*—Now I leave you to state your own explanation to the Committee.

Examined by the *Committee.*

2521. Was it afterwards notified to you that a petition was about to be brought forward by the committee who met at the Horns?—When?

2522. Since the 15th of April?—Only the usual conversation.

2523. Has it been officially notified to you that a resolution was passed at the committee at the Horns on the 15th, that a petition would be brought against Mr. Roupell?—I was not a party to it.

2524. Has it been notified to you by Mr. Wilkinson's agents that a petition was to be brought against Mr. Roupell?—Not to my knowledge.

2525. Have you been asked to subscribe to it?—No; I was asked at the meeting if I would subscribe, but I refused. I refused to have anything to do with it whatever.

2526. Do you know the petitioners?—I do not know them personally.

2527. You know who they are?—I know by hearing the names to the petition I heard at a meeting held since; but I do not know them personally.

2528. Do you know who they are?—I think one name is Bristow; I do not know the other.

2529. You swore just now you had no communication with Mr. Bristow; you know who the gentlemen are?—Only the same as any person may know it; I had no communication in form.

2530. You have had no communication with them?—No.

2531. The communication you had with Mr. Roupell with regard to this railway was not with regard to the withdrawal of the petition?—I cannot say that; I do not say that; I wish to give the Committee an opportunity of learning my statement from the commencement. I found the committee had given Mr. Roupell the power of making a statement himself, and I wished they should hear my statement if they thought proper to cross-examine me on that. That was my idea in writing to the Committee, in order that they should disconnect any idea of my being concerned with the petitioners in making any statement which I did to Mr. Roupell.

2532. That is satisfactorily proved, we consider?—That is if you are satisfied with it.

2533. We are quite satisfied that in any statement that took place between yourself and Mr. Roupell you were in no way representing at that time the petitioners?—Precisely; not in the least; not in the most direct or indirect manner.

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2534. Then, assuming that you read the statement made yesterday, in any proposition you made at that time which was alluded to by Mr. Roupell, you had not made such proposition on behalf of the petitioners, or any person representing them?—Decidedly not, in any way.

2535. The Committee take without question your assurance in that respect. Do you think it requisite to make any further explanation as to what took place? Your only object in coming here was to detach the petitioners from any supposed complicity with you?—I should like to make my whole statement; but my principal object is that the Committee should not be misled by Mr. Roupell's statement that that communication I made to him was in any way, directly or indirectly, connected with the petitioners.

2536. In coming forward and making that statement, you have done a very creditable act to the petitioners, and the Committee do not wish for any further information?—Very well.

2537. You were understood distinctly to say, that in any proposition that took place between yourself and Mr. Roupell, whatever you did was entirely without authority from the petitioners or any person connected with them?—Decidedly; there were only three parties, myself, Mr. Roupell, and a third party, who were at all cognisant of the fact.

2538. That third party was no person connected with the petitioners?—Not in the least.

Mr. *Samuel Massey Cross*, sworn; Examined by Mr. *James.*

Mr. *S. M. Cross.*

2539. WERE you employed by Messrs. Harrison of Walbrook to assist them in preparing this petition; the evidence, and so on?—Precisely so.

2540. You have only been employed recently in the matter?—Very recently.

2541. When was it?—Within the last three days, more particularly.

2542. You were employed in assisting them before this interview?—I had taken out some six or seven Speaker's warrants.

2543. I believe Messrs. Harrison were not capable at that time of devoting their attention to it without some assistance?—Yes, that was so.

2544. You heard Mr. Roupell's evidence yesterday. State how it was you met Mr. Roupell, and that you saw Mr. Roupell in the House of Commons?—I was down in the lobby on Tuesday night last; it was not on the Monday; for the purpose of getting some Members to attend the next day to move to get some words inserted in the Burial Act Amendment Bill. At about half-past 12 at night I walked into the messengers' room, and Mr. Roupell was seated there.

2545. Did you send a message into the House to Mr. Roupell, or did you find him seated with another person in the messengers' room?—I should not have taken that liberty.

2546. Did you?—I did not.

2547. You had not sent in any message to him in the House?—Certainly not.

2548. Yesterday week that was?—Yes.

2549. That was after the Committee was nominated?—Yes.

2550. Will you state, when you went into the room had you ever spoken to Mr. Roupell, to your knowledge?—Never; I did not know him.

2551. Were you introduced by that person to him?—I was, as a friend of his.

2552. Mr. *Slade.*] A friend of whom?—A friend of that person.

2553. Mr. *James.*] What was said about the petition; do you remember what was said?—I believe the other party was talking to Mr. Roupell about the petition, and some rumours that he could get the petition withdrawn; I had heard of those rumours connected with the South London Railway, and that Mr. Roupell had been issuing 60 or 70 Speaker's warrants, serving engineers and others in Parliament-street, and I was curious to learn what connexion the South London Railway had with this petition.

2554. At this time had you any knowledge of the South London Railway, or Mr. Rhodes, or anything connected with it?—Nothing whatever.

2555. Had you anything to do with the South London Railway?—Nothing: it was a mere rumour that Mr. Roupell's agents had taken out some 60 Speaker's warrants, and I asked Mr. Roupell what connexion the South London Railway had with this petition; I thought he was making some strange mistake.

2556. Did

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2556. Did that communication to him lead to Mr. Roupell making some statement about the matter which he deposed to yesterday?—Yes, Mr. Roupell then said he was quite certain that the South London Railway were at the bottom of this petition; that he had been connected with some railway in that neighbourhood for which he had deposited the sum of 12,000*l.*; that the South London parties had presented a petition against his getting this money out; Mr. Roupell, I understood him to say, had got a Bill in Parliament for the purpose of abandoning a portion of this line, and that they had presented a petition to prevent his getting this money out; that the election petition was a stock-jobbing affair; that the parties connected with the South London Railway were friends of Mr. Wilkinson's; that they had deposited 1,000*l.*, and that he would spend 5,000*l.* to sweat it.

2557. Is that the expression he used?—Yes.

2558. I believe the 1,000*l.* is deposited in lieu of recognisances?—Yes; I said, "If you have a petition presented against you, and any offers have been made of withdrawal, I wonder you do not avail yourself of them;" he said, "No; his grandfather had spent 40,000*l.* in law, and had been a great gainer by it."

2559. Did you enter into any treaty at all with Mr. Roupell about the withdrawal of the petition?—Certainly not.

2560. Did you go for the purpose of treating, or making an offer of withdrawal of the petition?—Certainly not.

2561. Was your meeting accidental?—It was.

2562. Had you any authority from the petitioners or from Messrs. Harrison to enter into any negotiation?—I had not.

2563. Directly or indirectly?—Neither directly nor indirectly.

2564. Was there a third person present during the conversation?—There were two or three conversations; for during the time I was talking with Mr. Roupell there was a division, and Mr. Roupell left me, and came back again.

2565. And was the subject renewed?—Yes.

2566. Did you enter into any treaty or negotiation for the withdrawal of this petition?—No; I was merely anxious to know if Mr. Roupell intended to fight the petition; I wanted to save myself the labour.

2567. Had you any authority of any kind?—I had not.

2568. *Committee.*] No special authority, but at that time you were acting for Messrs. Harrison?—I was not then a special agent.

2569. You said you wished to save yourself labour?—Yes.

2570. If you were not concerned, what labour would you save yourself?—I did not know that I should be engaged.

2571. You supposed you should have been?—Yes.

Cross-examined by Mr. *Slade.*

2572. Last Tuesday were you not employed by Messrs. Harrison?—Yes; I said in the week.

2573. Last Tuesday were you not in the employment of Messrs. Harrison with regard to this petition?—Yes.

2574. How long before that were you in the employ of Messrs. Harrison?—I had seen Messrs. Harrison about a dozen times in reference to it.

2575. Where were you when Messrs. Harrison took you on this business, in whose employ?—I was at Peterborough, employed by Mr. Whalley.

2576. How long was that ago?—Directly after the general election.

2577. And was it at Peterborough that Messrs. Harrison secured your services for the Lambeth election?—No.

2578. Where were you when your services were secured?—I think Mr. Harrison called once on me in Great George-street.

2579. That is where you were in employment?—That is where I am employed.

2580. When was that?—I cannot charge my memory; I did not put it down.

2581. A month ago?—A month or six weeks ago; I cannot say to a day or two.

2582. What number was it in Great George-street?—No. 20.

2583. Is that where the solicitor to the South London Railway is?—One of them.

2584. Were you in his employment?—No.

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2585. Your services were secured for this Lambeth election so long ago as a month or six weeks by Mr. Harrison?—They were not; Mr. Harrison merely spoke to me in reference to the petition, and did not engage my services. You asked me when I first saw Mr. Harrison.

2586. When were you employed first by Mr. Harrison with regard to the matters of this petition?—This last week most particularly.

2587. I do not want to be fenced with in that way?—I had only taken out some warrants before for Mr. Harrison.

2588. Is that the ordinary way a gentleman is employed for a petition; when were you first employed by Mr. Harrison with regard to any matters of the petition?—My first employment was when I took out those warrants.

2589. *Committee.*] When was that?—I cannot tell; five or six weeks ago.

Mr. *James.*] I do not dispute the employment.

2590. Mr. *Slade.*] Was not the precipe, on taking out the warrants, taken out by yourself as agent?—I did sign it on the 29th of May.

2591. Now we are in July; now I do take you back six weeks, when you were employed on the matters of this petition by Mr. Harrison?—I was not, indeed, except in taking out those warrants; I did nothing after that.

2592. You say you were down in the lobby of the House of Commons on Tuesday last?—It was Tuesday, not Monday.

2593. And that you sent in no message to Mr. Roupell?—No, I did not.

2594. You would not have taken the liberty?—No.

2595. Had you inquired for him?—No; I was anxious to know him.

2596. Had you not inquired for him, on your oath?—I said I should like just to see Mr. Roupell.

2597. And did you say that to the messenger who stands at the door; did you express that desire to the messenger who stands at the door?—I think I did.

2598. Why you know it, you know you did express it?—Yes.

2599. I will give you his name; you know you did; there is no "think" about it?—Yes; but I did not tell him to send for him.

2600. Did the messenger at the door go into the House soon after you expressed the wish?—I did not see him go into the House.

2601. Perhaps you turned your back on purpose?—No.

2602. I ask you again; did the messenger at the door go into the House after you had expressed a wish to see Mr. Roupell?—I did not see him go into the House.

2603. That is no answer to my question?—I did not really see him.

2604. Did not the messenger of the House promise he would go to Mr. Roupell for you?—Not that I recollect.

2605. Will you state that he did not? When you expressed a wish to see Mr. Roupell, did not the messenger promise he would communicate that wish to Mr. Roupell for you; on your solemn oath?—I think he said, "I will point him out to you when he comes out."

2606. That is no answer to my question; I will repeat it: did not the messenger of the House promise you he would communicate your desire to see Mr. Roupell to him?—I do not recollect that he did.

2607. Will you swear he did not, on your oath?—This took place at half-past 12 o'clock at night——

2608. Finish your sentence?—I do not recollect that I did; I really do not; I swear that I do not.

2609. Answer me this, if you cannot recollect; did he not lead you to suppose that he would communicate your desire to see Mr. Roupell to him?—Yes, I think he did.

2610. After he had led you to suppose that he would communicate your desire to see Mr. Roupell to Mr. Roupell, how long after that was it that you promiscuously walked into this small back room?—Perhaps 20 minutes.

2611. Did you see Mr. Roupell come out of the House?—I do not think I did; I will swear that I did not.

2612. This, you know, was about 20 minutes to 1?—Yes.

2613. Was the lobby pretty well crowded at that hour of the night?—No, not very.

2614. Had anybody told you he was in the room?—No.

2615. *Committee.*]

2615. *Committee.*] I think you said it was the messengers' room?—The doorkeeper's room.

2616. Mr. *Slade.*] Was that the same doorkeeper who said he would communicate your desire to see Mr. Roupell to him?—Who was in the room?

2617. Was it his room?—Yes.

2618. *Committee.*] Did the doorkeeper tell you that Mr. Roupell was in his room, waiting for you?—No.

2619. What made you go into the room?—Mr. Roupell was pointed out by another party.

2620. He was pointed out?—By another party who was there. I had been out in the passage, and had come back again.

2621. Mr. *Slade.*] He came out in the meantime; a party had pointed him out on his going into the room?—Yes, I saw him going into the room; but I did not see him come out of the House.

2622. Did the party, whoever it was, point him out, and say, "That is Mr. Roupell"?—Yes.

2623. And then you followed him?—Yes; not immediately.

2624. Then you followed Mr. Roupell in?—Yes.

2625. What did you want to see Mr. Roupell about?—I wanted to hear from Mr. Roupell as to the rumours afloat of this petition being connected with the South London Railway.

2626. Who told you of the rumours?—I wanted to hear for my own satisfaction.

2627. Just to gratify your curiosity?—Yes.

2628. And you were waiting up there all night to gratify your curiosity?—I was there on other business.

2629. You wanted to hear from Mr. Roupell, to gratify your curiosity, the truth of these rumours about the South London Railway, and about these engineers, Mr. Bidder and Mr. Brunel, who had been served with Speaker's warrants?—Yes, I was anxious to know what they had to do with the petition.

2630. Mr. *James.*] Were Bidder and Brunel served?—(*No answer.*)

2631. Mr. *Slade.*] Were you engaged on the South London Railway at all?—Not at all.

2632. You had no interest in the South London Railway?—None whatever.

2633. What interest had you in gratifying your curiosity in all this?—I wanted to know why 60 persons had been served with the Speaker's warrants. I wanted to know what the railway had to do with this petition.

2634. So you intimated to Mr. Roupell, that you would like very much to see him?—No, I wanted to see Mr. Roupell to know him.

2635. That was all?—That was all.

2636. You only wanted to know him?—I never went to that lobby with the intention of seeing Mr. Roupell.

2637. Take care; you forget yourself?—I never did; I never went to the lobby with an intention of seeing Mr. Roupell.

2638. You forget that you intimated to the doorkeeper, that you should like to speak to him?—It was 12 o'clock at night, I did not; I wanted to see him, because I should like to know him.

2639. Mr. Roupell told you, did he not, that the South London Railway people were at the bottom of the petition?—He did, and I told him he was making a great mistake.

2640. Did he tell you they had offered to withdraw the petition?—I asked him who made the offer.

2641. He told you some one had made an offer?—Yes, and I asked him who. He said some gentleman had been to him about it, a Mr. Rhodes; he did not entertain the proposition; I never asked him what the proposition was; I did not any further allude to it.

2642. Did you say that was very badly managed?—No; I will swear I did not.

2643. Nothing to that effect?—Nothing to that effect; I never saw Mr. Rhodes in my life until yesterday.

2644. Did you represent or lead Mr. Roupell to suppose by your conversation that it was badly managed?—No, distinctly not.

2645. What did you say?—I never alluded to the negotiation at all.

2646. What did you say when he told you they offered to withdraw the petition;

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petition: what did you say to that?—I said, Members petitioned against generally liked to get rid of these things.

2647. I suppose you were of opinion that Mr. Roupell would have been wise if he had accepted the offer?—I did not know that he had any offer.

2648. He told you so; you say, in answer to his observation, you said, "Members generally liked to get rid of these things?"—Yes.

2649. Upon that were you of opinion that Mr. Roupell was unwise in not accepting the offer of withdrawing the petition?—No.

2650. You think he was then?—Yes.

2651. Why?—Excuse me, I knew nothing of any offer; Mr. Roupell did not tell me what offer had been made him; he merely said that a Mr. Rhodes had been to him to ask him to withdraw—to ask him to withdraw the petition. I asked him who it was. This took place at half-past twelve, and there were three conversations which I had with Mr. Roupell.

2652. *Chairman.*] Do not flurry yourself, but answer.—Put the question again, Mr. Slade. I asked him why he did not accept the offer of withdrawal.

2653. Mr. *Slade.*] You say you did not know Mr. Roupell by sight?—Not till he was pointed out that night.

2654. And he did not know you?—I suppose not.

2655. When you went into that room, did you tell him who you were?—No.

2656. Did you have this conversation with Mr. Roupell without letting him know who you were?—I think I had.

2657. A conversation about a petition and a withdrawal, without letting the Sitting Member know who you were?—Yes.

2658. Are you sure you did not tell him who you were?—I am almost positive I did not tell him who I was.

2659. Did you tell him who you were connected with?—No.

2660. Will you swear that?—Yes.

2661. Did you not tell him you came from Messrs. Harrison?—No.

2662. Nothing to do with it?—No.

2663. Will you swear that?—Yes.

2664. Did you lead him to suppose that you came from Messrs. Harrison?—No.

2665. Nothing of the sort?—No, nothing of the sort.

2666. Did you lead him to suppose that you were connected with the petitioners?—I did not.

2667. And then did you have this conversation with Mr. Roupell about his petition, you being a perfect stranger, and not represent the character in which you had the conversation?—I did.

2668. *Committee.*] You stated just now that a third party was present, who introduced you to Mr. Roupell?—Yes.

2669. And you now state that you had the whole of this conversation with Mr. Roupell without his knowing who you were?—No; a friend ——

2670. A friend introduced you to Mr. Roupell?—As a friend of his.

2671. He did not say who you were or what you were?—No.

2672. He did not mention your name to Mr. Roupell?—I do not recollect that he did.

2673. Mr. *Slade.*] Did the friend introduce you as a gentleman who wanted to have some conversation?

2674. *Committee.*] What was said when the friend introduced you to Mr. Roupell?—We were talking about Mr. Roupell and his petition; that was the first introduction.

2675. Mr. *Slade.*] Who said this?—The friend.

2676. Who to?—To me.

2677. You walked into the room?—I knew——

2678. Without knocking at the door?—Yes.

2679. And they were two strangers to you; one was completely?—Yes.

2680. Do you mean the Committee to believe that?—Yes, that was so distinctly.

2681. Mr. Roupell was a perfect stranger, and yet you walked into the room without knowing him?—This gentleman said, "This is a friend of mine, we can talk of this. This is a friend of mine, we can talk before him; we are just discussing about his petition;" that is the way it commenced.

2682. Do

2682. Do you mean to say when this gentleman said, "We can talk before him," your position with reference to the petition was not named?—I do not think it was.

2683. Will you swear it was?—I think not.

2684. Will you swear your position, in reference to the petition, was named?—I will swear it was not.

2685. And in the whole of this conversation was Mr. Roupell left in ignorance as to who or what you were?—Mr. Roupell might draw his own conclusion.

2686. There was nothing to draw a conclusion from; what was he to draw a conclusion from?—From my inquiring what the parties connected with the South London Railway had to do with this petition.

2687. That was all?—That was all.

2688. Did you lead Mr. Roupell, by anything you said, to suppose that you had known the petition was to be withdrawn?—No, I do not know that I did.

Chairman.] You must give clear and express answers, according to your true belief and recollection, otherwise you put yourself in a position of discredit and peril.

2689. Mr. *Slade.*] Did you lead Mr. Roupell to believe, by anything that fell from your lips at that interview, that you could in any way obtain a withdrawal of the petition?—(*After considerable hesitation.*) I might.

2690. Did you not?—I think I did.

2691. Now, what was it you said that might lead him to that?—I said, there were two gentlemen engaged in the petition. There were two brothers, the Messrs. Harrison, and one of them was not an elector of Lambeth, and he, I thought, was anxious to get rid of it.

2692. Go on?—That is what I said.

2693. *Chairman.*] What more did you say?

Mr. *Slade.*] That is only half the bite of the cherry. That only excited his curiosity, if you went no further than that.

2694. *Chairman.*] Just state fully what passed; that was only the commencement of it?—That was only the commencement.

2695. Then go on, and state it fully?—I said I thought one of them was anxious to get rid of it.

2696. What further; as to how it was to be got rid of; how this gentleman's wishes were to be carried out; just state all that you said?—I thought, perhaps, I might use my influence with him; I thought, perhaps, I could use some influence with him.

2697. Mr. *Slade.*] To do what?—If Mr. Roupell was anxious to get rid of the petition.

2698. *Committee.*] What could you use your influence for?—To persuade him that he might persuade his brother.

2699. To do what?—To withdraw the petition.

2700. Mr. *Slade.*] What did Mr. Roupell say to that?—I think Mr. Roupell said to that that he could not possibly listen to a withdrawal of the petition; he could not possibly do that; his friends would not let him, or he should be so beset in Lambeth that he could not go about, or something to that effect.

2701. I thought you told us, a little while ago, that you had not mentioned Mr. Harrison's name to him?—I do not recollect saying so.

2702. I thought you told us you did not mention Mr. Harrison's name?

Chairman.] That applied to the first introduction.

2703. Mr. *Slade.*] Did you explain to Mr. Roupell that you came from Messrs. Harrison?—I did not; Mr. Roupell was very frank and candid with me; we were chatting together over the South London Railway, and I led him to believe that I might use my influence with the elder Mr. Harrison to get it withdrawn.

2704. *Committee.*] What terms did you say you could get it withdrawn on?—I did not name any terms whatever.

2705. Mr. *Slade.*] Will you swear you named no terms; now do be careful?—I said that the one Mr. Harrison was very anxious for the petition being withdrawn, if costs would not be asked against the petitioners.

2706. What a long time we have been getting that. Upon that did Mr. Roupell use a very strong term, and say he would not do it?—He said he had been applied to by parties connected with the South London Railway.

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2707. You say you were confidentially talking together?—Yes.

2708. Did not Mr. Roupell say he would see them d——d first, when you made the suggestion to him about not asking for the costs?—No.

2709. You said you thought you could induce Messrs. Harrison to withdraw the petition; did not Mr. Roupell, in his confidential way, say, "I will see them d——d first"?—He did not.

2710. Nothing of the sort?—He did not.

2711. *Committee.*] What was it he said?—He said he was so situated in Lambeth that his friends would not let him withdraw the petition; if he did, he should be so beset that he should not be able to go about.

2712. Mr. *Slade.*] Did Mr. Roupell express a firm determination not to listen to suggestions to withdraw the petition, if costs were not asked against the petitioners?—I have said that.

2713. When he intimated that to you, you withdrew?—I tell you this conversation took place at three distinct times, off and on. Mr. Roupell was called out of the room, and then he came back again; then I met him in the lobby again, and put a paper into his hand about this burial clause.

2714. But that part about the conversation; was that at the end of the interview, or the middle of it?—About the middle of it.

2715. Did you try him again?—No, I did not.

2716. *Committee.*] He said "No," so emphatically, that you did not renew it?—Certainly not. I asked him if he would support these words, to be added in the Burial Act Bill, which was coming on the next day. Mr. Roupell treated me so frankly and candidly, that I asked him if he would come down to support it.

2717. Mr. *Slade.*] What are you yourself?—A Parliamentary agent; an election agent.

2718. Which is it?—An election agent.

2719. Then you never appear except during elections?—Yes; I was connected with the Southampton and Salisbury Railway.

2720. What as?—Assisting.

2721. In what capacity?—Getting up the subscription contract, and getting up the evidence in support of it.

2722. Mr. Bircham is solicitor for that?—Yes.

2723. Is that the same gentleman who is solicitor to the South London?—He is solicitor to the Bristol and Southampton.

2724. Is that Mr. Peek?—No; Mr. Manning.

2725. Has Mr. Manning got his office in Great George-street?—Yes; No. 20.

2726. Is that your address?—Yes.

2727. In his office?—Yes.

2728. When you said No. 20, you meant you were at Mr. Manning's?—Yes, I am there.

2729. That is, you are employed in his office?—I am not employed in his office.

2730. What are you?—An agent.

2731. Have you an office?—Yes, a room in his office.

2732. *Committee.*] Is that the Mr. Manning who has been examined here?—No.

2733. Mr. *Slade.*] Is Mr. Manning one of the solicitors for the South London Railway?—I believe he is; I never had a conversation with Mr. Manning about the South London Railway.

2734. Just look at his name on this bill (*handing a printed bill to the Witness*)?—Yes, he is.

2735. Is Mr. Peek another?—Yes.

2736. Is Mr. Peek the gentleman who got up the subscription for this petition?—I know nothing of the subscriptions for this petition; nothing of its origin.

2737. Is he treasurer to the fund?—Not that I know of; I only know Messrs. Harrison in the matter.

2738. Did you ever see this (*displaying placard*)?—Never; I had nothing to do with the origin of the petition; I have only been called in to assist.

Re-examined by Mr. *James.*

2739. Had you anything to do with the origin of this petition at all?—Nothing; it was not my business; I was not engaged in the election.

2740. Is it usual for such persons as the Messrs. Harrison, who are solicitors, to employ agents in a petition of this kind?—Yes.

2741. Then it is usual?—I am continually employed.

2742. I think you said this conversation was in a frank and open manner, but the whole thing occurred at two or three times; it was interrupted?—Yes; sometimes he was in the room, and at another time I chatted in the lobby with him; when I bade him good night.

2743. Did you go from Messrs. Harrison, or have any communication with them, with regard to this treaty and negotiation before you went?—I swear I did not.

2744. No communication that it was going to be made?—No.

Examined by the *Committee.*

2745. I think you said in the beginning of your examination that you met Mr. Roupell quite accidentally in the House of Commons; do you mean still to state that?—It was an afterthought my seeing Mr. Roupell; when I went down I had no intention of seeing him.

2746. Did you meet him accidentally, or did you search for him to make him the offer, in regard to the Lambeth petition?—I did not intend to make him any offer.

2747. Did you meet him accidentally, or did you seek for him?—I said should like to know Mr. Roupell; I had heard so much about the Lambeth election.

2748. Did you meet him accidentally, or did you seek for him?—No.

2749. Just consider the question; did you meet him accidentally, or did you search for him to make him this offer with regard to the Lambeth election?—I did not search for him.

2750. You asked for him at the door?—I said I should like to know him.

2751. What arrangement was made previously between the third party whom you call your friend, to introduce you to Mr. Roupell?—I do not know there was any arrangement.

2752. How came you to be introduced to Mr. Roupell; did you walk accidentally into that room?—No.

2753. How came you there?—I walked there.

2754. By previous arrangement with your friend?—He said, "If you like to see him, I can introduce you to him."

2755. Then you expressed a wish to be introduced?—I did not.

2756. How came you to be introduced?—He said, "He is a very nice fellow, if you wish to see him."

2757. That was an afterthought of yours entirely?—Quite so.

2758. You said you had nothing to do with this petition at all?—Not in its origin.

2759. Do you know who signed the Speaker's warrants as agents?—I signed, as I said, the first.

2760. As agent to whom?—To Messrs. Harrison.

2761. You said you had nothing to do with it?—Mr. Harrison left it there; I took the warrant down.

2762. From the man who signed as agent?—I took the warrant down, and I was told I must put my name to it; I might have put my name there by accident, not by design; I did not intend to put my name down at that time. I had 12 or 14 in my hand, but I was not the agent to the petition, and my name was not given in till Tuesday morning; I had no authority whatever from any party.

[The Witness was directed to withdraw.

Mr. *Slade* then proceeded to sum up the case on behalf of the Sitting Member.

Mr. Serjeant *Ballantine* was heard in reply on the whole case.

I N D E X.

[*N. B.*—In this Index the Numerals following *Rep. p.* refer to the Page of the Report; the Figures following the Names of the Witnesses, to the Questions of the Evidence; and those following *Ev. p.* to the Page thereof.]

A.

ABBOTT, FREDERICK JENKINS. (Analysis of his Evidence.)—Election auditor for the borough of Lambeth, 54–56——Witness produces the appointment by Mr. Roupell of Richard Carroll Barton as his agent for election expenses; no other person was appointed but Mr. Barton, 57–59——Witness produces the accounts of the election expenses of the three candidates, down to the day of nomination, 60——The amount returned by Mr. Wilkinson was 532 *l.* 16 *s.* 10 *d.*; 61——By Mr. Williams, 731 *l.* 18 *s.* 5 *d.*; 62——And by Mr. Roupell, 2,610 *l.* 17 *s.*; 63——Examination upon and explanation of various items in this account for canvassers, clerks, messengers, hire of committee-rooms, stationery, and cab-hire, 64–162——Witness has had no particulars of these various accounts, although he ought to be furnished with the complete accounts within three months, 68. 74. 118. 163——Witness has received the accounts of Messrs. Wilkinson and Williams, 164, 165.

Witness has not got the account of Mr. Roupell, further than the bills he has himself actually paid, amounting to 834 *l.* 13 *s.* 2 *d.*; 166–171——The accounts for this amount have been furnished, but witness has not got the vouchers, they have been given up for the purposes of the defence here, 172–186——Witness does not so understand the Act that he was obliged to keep them, 174. 185, 186——How far witness has any means of telling what the amount was that he, as election auditor, passed, 187–190——Witness declined showing the accounts to the agents engaged for the petitioners, although he has given up the vouchers to the other side, 191–197——Witness, although he has no summary of the whole expenses, believes that the amount of which he authorised the expenditure, would amount to about 1,900 *l.*; this was before the nomination, 198–215——This was the first time that witness has been an election auditor, 216.

Accounts. Witness has received the accounts of Messrs. Wilkinson and Williams, *Abbott* 164, 165——Has not got the account of Mr. Roupell, further than the bills he has himself actually paid, amounting to 832 *l.* 13 *s.* 2 *d.*, *ib.* 166–171——The accounts for this amount have been furnished, but witness has not got the vouchers; they have been given up for the purposes of the defence here, *ib.* 172–186——Witness does not so understand the Act that he was obliged to keep them, *ib.* 174. 185, 186——How far witness has any means of telling what the amount was that he, as election auditor, passed, *ib.* 187–190.

Witness declined showing the accounts to the agents engaged for the petitioners, although he has given up the vouchers to the other side, *Abbott* 191–197——All the bills sent in are with the auditor, *Barton* 1995–1999——Evidence relative to the system which was pursued with regard to the sending in, examination, and payment of the accounts, *ib.* 2122–2140.

See also *Cashier.* *Election Auditor.* *Expenses of the Election.* *Pay Sheets.*

Agents. Witness produces the appointment by Mr. Roupell of Richard Carroll Barton as his agent for election expenses; no other person was appointed but Mr. Barton, *Abbott* 57–59——Witness was agent for Mr. Roupell at the late election; was agent for the expenses; has canvassed with Mr. Roupell, but was mostly engaged at the central committee-room, *Barton* 217–222——Was employed from the commencement of Mr. Roupell becoming a candidate, *ib.* 223——Witness was not acting as Mr. Roupell's private solicitor at the time of his appointment as election agent; he was solicited to undertake the office by Mr. Roupell and Mr. Doulton, *ib.* 2022–2032——Witness has not sent in any bill, nor has he now any legal claim against Mr. Roupell, but he expects to be paid what he is fairly entitled to; witness has not paid anything out of pocket, *ib.* 1982–1994——Witness employed Mr. Barton as his election agent for expenses under the Act of Parliament, *Roupell* 2288.

See also *Barton, Mr.* *Deputy Returning Officer.*

Report, 1857—*continued.*

Anderson, Mr. See *Deputy Returning Officer.*

Auditor. See *Election Auditor.*

B.

Bailey, John. (Analysis of his Evidence.)—Was once a publican; is a voter for Lambeth; plumped for Roupell, 2186–2190——Was chairman of a committee held at the Pilgrim Tavern, Walworth; went out canvassing, and was paid 10*s.* a day; can only recollect the name of one person he canvassed out of the committee-room, 2191–2210. 2242–2245——Witness describes himself in his pay-sheet as Mr. John Bailey, "chairman," and signed it John Bailey, "chairman;" knows nothing about the erasure in the pay-sheet; was never told that he was not to call himself chairman, 2211–2218.

How far the canvassers attached to witness's committee were voters, 2219–2229——The system adopted in witness's district was that the canvassers put down the votes for each candidate, and sent their lists in daily to the central committee, 2235–2239——If either of the other candidates had made inquiry, they would have found it was Lombard-street to a China orange in favour of Roupell, 2238–2241——Witness never knew an election in which so much care was taken to act within the law; it was rather a dry election, 2246–2256.

Witness found throughout the election that there was a strong feeling in favour of Mr. Roupell; he was decidedly the popular candidate, 2257–2264——Witness never was bribed in his life; he is sorry he is charged with being bribed, 2265–2270——Witness has acted as committee-man at former elections, but never was paid anything, 2271–2275. 2279–2281——Deduction which was made from witness's charge in the case where he had charged 15*s.* a day, 2278.

Barton, Richard Carroll. (Analysis of his Evidence.)—Was agent for Mr. Roupell at the late election; was agent for the expenses; has canvassed with Mr. Roupell, but was mostly engaged at the central committee-room, 217–222——Witness was employed from the commencement of Mr. Roupell becoming a candidate, 223——Has all the books showing the expenses of the election, 224, 225——The account, up to the day of nomination, returned by witness, is 2,610*l.*; 226——Reference to the suggestion that was made at the outset of the election that there should be a tabular sheet for every public-house, 227.

Witness produces the tabular sheet of the Swan Tavern, showing that John Anderson was, on the 18th March, appointed clerk of this district committee-room; his pay was 10*s.* a day; witness does not know whether he is a voter, 228–234——Charles Gillham was employed as a messenger at 5*s.* a day; witness does not know that he is a voter, 235–239——Other parties employed as canvassers, clerks, and messengers, and rates of their pay, 240–245.

Mr. Davis Sims, a stockbroker, was the chairman of the committee at the Swan, 246, 247——Witness believes that none of this committee were paid as committee-men; some of them were also canvassers, and were paid as such, 248–259——Explanation relative to the disbursement of a sum of 20*l.* which was handed to the chairman on account of the expenses of this committee-room, 260–288——The total amount expended by Mr. Sims at this house was 49*l.* 10*s.* 6*d.*, and the return made by witness is only 25*l.* 15*s.* 6*d.*, but this is only up to the nomination; the balance has been paid subsequently, 265–273——On Mr. Roupell's starting, witness went and hired the Swan Tavern, 286–288. 291.

Evidence in explanation of the items on the pay-sheet of the Queen's Arms, amounting to 18*l.* 10*s.*; 289, 290. 292–323——All that Janaway, the landlord of the house, appears to have received was 2*l.* 2*s.* for the week's use of the room; witness does not know whether Janaway is a voter, 299. 300, 301. 303–323.

[Second Examination.]—When witness found certain sums were required for the purposes of the election, he gave authority to Truman to draw for them, without going into detail as to the exact purpose for which they were required, 1933–1959——Witness personally had no control over the fund at the banker's; Mr. Truman and Mr. Hogan were what might be called the trustees of that fund, 1933–1959——Witness feels confident that the erasures and alterations in the pay-sheets took place before the day of nomination, 1960–1975——The total amount of the expenses of the election of Mr. Roupell would be 5,339*l.*, with the exception of about 200*l.* or 300*l.* disputed accounts, 1976–1981. 2000, 2001.

Witness has not sent in any bill, nor has he now any legal claim against Mr. Roupell, but he expects to be paid what he is fairly entitled to; witness has not paid anything out of pocket, 1982–1994——All the bills sent in are with the auditor, 1995–1999——Explanation relative to an item of 105*l.* for bill-posting houses, 2002–2006——Explanation of an item of 50*l.* 9*s.* for private houses for posting bills, 2007–2017——These houses were not taken with the view of their being voters' houses, though some of them might have been so, 2018–2021.

Report, 1857—*continued.*

Barton, Richard Carroll. (Analysis of his Evidence)—*continued.*

Witness was not acting as Mr. Roupell's private solicitor at the time of his appointment as election agent; he was solicited to undertake the office by Mr. Roupell and Mr. Doulton, 2022-2032——Explanation of the reason of a room having been taken at a beer-shop exactly opposite the Horns, 2033-2041——Witness does not consider that the charge for any of the committee-rooms or posting houses was high, with the exception of the Horns; but, although heavy, it was the regular charge, 2042-2049——Where any overcharge was made it was disallowed, 2050——Evidence as to the cost of sending out each issue of circulars and cards, 2051-2055.

Mr. Roupell gave witness express instructions with regard to the Corrupt Practices Act, and that he must be very guarded in what he did; copies of the Act were distributed to the various committees, 2056-2065——A circular was also sent with these copies, calling the attention of the committees to the provisions of this Act, particularly as regarded treating and refreshment to voters, 2066-2068——Reasons why the Victoria Theatre and the Surrey Gardens were taken for the purpose of holding public meetings, 2069-2077.

Throughout the borough there was an enthusiastic feeling in favour of Mr. Roupell; opinion that this is the reason his success has been attributed to money, 2078, 2079——There is no doubt Mr. Wilkinson had become unpopular in the borough, 2080.

Evidence in detail relative to the organisation of witness's plan for carrying out the election, 2081 *et seq.*——Formation of the central committee; appointment of the district committees, nineteen in number; subsequent formation of sub-committees, in consequence of this number being found insufficient, 2081 *et seq.*——Witness believes the maximum number of canvassers employed at any one time by Mr. Roupell to have been 212; this is exclusive of the messengers and clerks, 2095-2110.

Generally speaking, the persons who acted as chairmen of the different committees were men of position in the borough, who gave their services gratuitously, 2111-2119——Opinion that the great majority of the people of position in Lambeth supported Mr. Roupell, 2120, 2121——Evidence relative to the system which was pursued with regard to the sending in, examination, and payment of the accounts, 2122-2146——Mr. Truman was appointed trustee, and Mr. Hogan secretary of the funds paid into the bankers; this was done at the suggestion of Mr. Roupell, 2124-2128. 2171-2174.

Amount witness furnished to the auditor as expenses before the nomination; amount since paid by the express authority of the auditor; total amount paid by Mr. Roupell, 2147-2162——Witness never paid a shilling to any one either to vote for Mr. Roupell, or to refrain from voting for any one else, 2163-2165——Witness is aware that a man of the name of Tredre, who is keeping out of the way, has written to Mr. Roupell, complaining that he has not been paid, 2168.

Witness does not know where Tredre is to be found, 2169, 2170——No one who has applied for money has been told that they could not be paid while this petition was going on, 2175-2179——A man of the name of John Bailey, who was chairman of a committee at a place called the Pilgrim Tavern, was paid as a superintendent canvasser, 2180-2185.

Barton, Mr. See *Agents.*

Beer-shops. See *Posting Houses.*

Bill-posting. See *Posting Houses.*

Bribery. Witness's vote was not influenced by the 15*s.* a day he received as canvasser, *Proom* 653-658——Witness was not bribed by any one, *Tanswell* 760——There are not the slightest grounds for saying that witness was bribed, *Marrs* 825, 826——Witness was not bribed either by Mr. Roupell, Mr. Barton, Mr. Murphy, Mr. Hogan, nor Mr. Truman, *Buckland* 1491-1497——Witness has never thought of paying anybody or promising any one anything for his vote, *Truman* 1798—Witness never paid a shilling to any one either to vote for Mr. Roupell or to refrain from voting for any one else, *Barton* 2163-2165——Witness was never bribed in his life; he is sorry he is now charged with such an act, *Bailey* 2265-2270——Witness has acted as committee-man at former elections, but never was paid anything, *ib.* 2271-2275. 2279-2281.

Bribery Act. Copies of the Bribery Act and extracts from the clauses of the Corrupt Practices Act were laid on the table of witness's committee-room at the St. Paul's Tavern, Walworth, *Proom* 605-611——Copies of the clauses of the Bribery Act were made and posted in the room at the Duke of Suffolk; there was not a glass of wine or ale came into the room, *Buckland* 1480-1483.——*See* also *Corrupt Practices.*

Bringing up Voters. Reference to an observation made by Mr. G. Doulton that they must bring all they could to the poll in the first two hours; an election generally depends on the first two hours, *Dickie* 1030. 1047.

Bristowe, Mr. R. H. See *Petitioners.*

Report, 1857—*continued.*

Buckland, William. (Analysis of his Evidence.)—Estate agent and collector of rents in the neighbourhood of Walworth and Camberwell, 1328–1333——Witness acted as chairman of what was called the committee at the Duke of Suffolk in Randolph-street, Walworth, 1334——Witness agreed to act as chairman there at the preliminary meeting at the Horns before Mr. Roupell put up, 1335——Witness formed the committee; there were fourteen members on it, and paid canvassers besides, 1336–1340——When witness undertook the district, he stipulated that he was not to be interfered with, and he was to employ whom he liked, 1340——There were no other committee-rooms in this district (the third district), and only two posting houses, 1341–1344.

On the 20th March witness received 15*l.* from the central committee-room on account, 1345–1351——The committee-men were not paid, as it is not usual to pay committees; the canvassers were paid from 7*s.* 6*d.* to 10*s.* per day; number of them who were voters, 1352–1356. 1411–1416——One of the houses that was paid for as a posting house belonged to a man of the name of Fairfax, who was a paid canvasser as well, and was a voter, 1357–1373——Total amount which witness received towards the expenses of his committee; amount witness states he is out of pocket by the election, but which he hopes to get, as he always treats these matters as matters of business, 1374–1384. 1409, 1410.

Reference to an offer made to witness through Mr. Howell and Mr. Fenton of 60*l.* if he could get Roupell's voters in his district to split with Mr. Wilkinson, 1385–1408. 1459–1479——Reference to the items in dispute in witness's account 1417–1430——Witness charged a guinea a day for himself, which has been disallowed; there was no understanding that he was to be paid for his services, but witness considers he is entitled to something, 1431–1458——Never told Mr. Howell that he was to have 40*l.* a week, 1449–1451.

Copies of the clauses of the Bribery Act were made and posted in the room; there was not a glass of ale or wine came into the room, 1480–1483——When witness sent in his returns of the canvass for his district he gave the gross numbers for Wilkinson and for Williams as well as for Roupell, so far as they could make them out, 1484–1490——Mr. Wilkinson might have seen that his chance was very small; it was like putting seed down in frosty weather and the little birds coming to pick it up, 1489, 1490.

Witness was not bribed either by Mr. Roupell, Mr. Barton, Mr. Murphy, Mr. Hogan, nor Mr. Truman, 1491–1497——As it now stands, witness's services were entirely free, and out of pocket besides; he did expect to be paid, 1498——It was a very dry election, 1499——Witness did not apply to have a little wet, 1500, 1501.

Buckland, Mr. Buckland was not acknowledged as a chairman or committee-man by the central committee, although all his bills were headed and signed chairman, *Truman* 1674–1682.

Burgess, Joseph. (Analysis of his Evidence.)—Oil and colour-man; now out of business, 860——Was a member of Mr. Roupell's committee at the Shard Arms; is not an elector, 861–863——A person of the name of Angell was chairman of the committee, 864——The committee-men were not paid anything, 865——Witness acted as clerk, and was paid 15*s.* a day, 866, 867——Names of the canvassers, and amounts they were paid; how far any of them were voters, 868–880. 884–886.

Witness received the money to pay the canvassers, &c., from Mr. Truman at the central committee-room; his charges were very much cut down, and he is 8*l.* out of pocket, 881–883. 890–901——The committee consisted of seven, who met occasionally; they had no refreshment of any description, 887–889——Witness made a charge for a canvasser on the Tuesday, the day after the election, which was disallowed, 896–898.

C.

Cab-hire. See *Expenses of the Election.*

Canvass. When witness sent in his returns of the canvass in his district he gave the gross numbers for Wilkinson and for Williams as well as for Roupell, so far as he could make them out, *Buckland* 1484–1490——Mr. Wilkinson might have seen that his chance was very small; it was like putting seed down in frosty weather and the little birds coming to pick it up, *ib.* 1489, 1490——The instructions to the canvassers were to ascertain in the district and report exactly which way the voters intended to vote; for which of three candidates, *Truman* 1808, 1809——The system adopted in witness's district was that the canvassers put down the votes for each candidate, and sent their lists in daily to the central committee, *Bailey* 2235–2239——If either of the other candidates had made inquiry they would have found it was Lombard-street to a China orange in favour of Roupell, *ib.* 2238–2241.

Canvassers. Mr. Truman confided to witness the employment and rate of payment of the canvassers, messengers, &c., in his district; witness did not employ one single man more than the actual services required, *Proom* 596–603——Witness would say that, considering the class of men generally that were engaged and the service they had to perform, the

Report, 1857—*continued.*

Canvassers—continued.

the canvassers were decidedly underpaid, *Proom* 612-644. 652——Witness himself fixed the sums of 10 *s.* and 7 *s.* 6 *d.* to be paid to the canvassers, *ib.* 692-695——Witness believes that some of the canvassers at the Kentish Drovers were not voters, *Tanswell* 730-732——One one occasion witness saw Mr. Seaman pay the canvassers; they were paid 10 *s.* a day; some one delivered a packet of money to Mr. Seaman in the room, *ib.* 746-749.

In witness's opinion all those persons who were paid did good service for the money, *Marrs* 844-847——Names of the canvassers at witness's house, and the amounts they were paid; how far any of them were voters, *Burgess* 868-880. 884-886——Witness received the money to pay the canvassers, &c., from Mr. Truman at the central committee-room; witness's charges were very much cut down, and he is 8 *l.* out of pocket, *ib.* 881-883. 890, 891——Witness made a charge for a canvasser on the Tuesday, the day after the election, which was disallowed, *ib.* 896-898.

The number of persons described and paid as canvassers was 351, *Major* 908-912. 918-925——Some few clerks and messengers are included in this 351; *ib.* 926-948——Witness does not know how many were voters, nor how many voted, *ib.* 949, 950.

Witness expected he was to have been paid 15 *s.* a week, but only got 10 *s.* one week and 12 *s.* 6 *a.* another, *Dickie* 1048-1058——Witness does not consider that any of the parties were overpaid, *Morris* 1249-1253. 1258-1267——When persons were appointed canvassers, it was not asked whether they were voters or not, *Truman* 1723.

Impossibility in such a constituency as that of Lambeth of getting the voters up to the poll without a large staff of canvassers, *Truman* 1859-1866——Besides the canvassers attached to the local committees, there were eleven canvassers attached to the central committee; good argumentative canvassers, *ib.* 1914-1916——Witness believes the maximum number of canvassers employed at any one time by Mr. Roupell to have been 212; this is exclusive of messengers and clerks, *Barton* 2095-2110——How far the canvassers attached to witness's committee were voters, *Bailey* 2219-2229.

See also *Chairmen of Committees. Committees. Expenses of the Election. Morris, Mr. Organisation. Paid Chairmen. Paid Committee Men. Pay Sheets,* 2.

Cashier. Witness was appointed to pay the bills; a bankers' account was opened in his name and that of the secretary (Mr. Hogan); the total amount paid in this account was 4,822 *l.* and the balance struck on the 1st May showed a balance in favour of the depositors of 170 *l.* 18 *s.* 6 *d.*, *Truman* 1613-1624——When witness found that certain sums were necessary for the purposes of the election, he gave authority to Truman to draw for them without going into detail as to the exact purpose for which they were required, *ib.* 1983-1959——Witness personally had no control over the fund at the bankers'; Mr. Truman and Mr. Hogan were what might be called the trustees of that fund, *Barton* 1933-1959——Mr. Truman was appointed trustee and Mr. Hogan secretary to the funds paid into the bankers'; this was done at the suggestion of Mr. Roupell, *ib.* 2124-2128. 2171-2174——Mr. Truman and Mr. Hogan were appointed a committee for conducting the finances, and an account was opened in their names at Barclay's, *Roupell* 2290-2293——Amounts witness paid to these parties to be paid into the bankers', and dates at which paid, *ib.* 2290-2304. 2306.

Cathie, Charles. (Analysis of his Evidence.)—Resides at No. 8, Surrey-grove Cottages, Peckham, 359——Knows Joseph Tredre; saw him on Thursday, the 9th July, and learned that he had been served with a notice to attend this Committee, 360-365——He told witness he should not attend unless he was forced, 366-369——Statement made by him that he was the principal witness in the case, 370——He told witness he expected to receive something, but he did not say from whom, 371——Witness has known for some days that he would not attend, 372, 373——Witness does not know where to find him; has lately received a letter from him, and gave it to Mr. Hart a few hours ago in Palace yard [Mr. Hart delivers in this letter]; no portion of this letter has any reference to his coming before the Committee, 374-394——Witness believes Tredre has no particular residence, but sometimes lives with his father, in Camden-street, Walworth, 395-398.

Central Committee. Mr. Doulton was one of the chairmen of the central committee, and in his absence Mr. Grove officiated, *Truman* 1600-1602——Formation of the central committee; appointment of the district committees, nineteen in number; subsequent formation of sub-committees, in consequence of this number being found insufficient, *Barton* 2081 *et seq.*

See also *Canvassers. Committee Rooms. Paid Committee Men. Pay Sheets. Public Houses.*

Chairmen of Committees. At the late election witness acted as chairman of Mr. Roupell's committee, which was held at St. Paul's Tavern, Walworth Common, *Proom* 416——Witness received 15 *s.* a day for his services, *ib.* 417-431——There has been an alteration in the pay-sheet bearing date the 27th March, by the word "chairman" having been

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Chairmen of Committees—continued.

been obliterated, and the word "canvasser" substituted; witness does not recollect whether this obliteration took place before it was sent into the central committee or not, *Proom* 432–457. 473–475——They have all been altered in the same way, but witness cannot say by whom, *ib.* 448–458.

Duties witness performed as chairman of the committee; the whole of the money passed through witness's hands, and he paid it as detailed in the pay-sheets, *Proom* 516–519——It was left to witness, as chairman, to employ and pay whom he liked, *ib.* 556–577——Witness cannot explain the change of the name of "chairman" to that of "canvasser," any more than that the central committee did not recognise a paid chairman of committees, but they did a chairman of canvassers, *ib.* 645–647.

Witness was on the committee which sat at the Kentish Drovers, of which Mr. Seaman was chairman, *Tanswell* 706, 707——Does not know whether Mr. Seaman was paid; witness himself was not paid; only attended casually, *ib.* 708–712——Does not know anything of the payments made at this committee-room, *ib.* 713——Mr. Gilham, sen., was chairman of the committee at the Surrey Canal Tavern; his son keeps the house; they are both voters, *Dickie* 986–992——Number of members on this committee; some of them were canvassers; the chairman acted as a canvasser, and paid himself as such, *ib.* 993–1010.

Witness was acting chairman of Mr. Roupell's committee at the Bee Hive Tavern, *Morris* 1126–1130. 1133–1135——Was at the committee-room all day, *ib.* 1137, 1280, 1281——Witness only canvassed two days; but the other days was employed looking after the other canvassers, and receiving their reports, *ib.* 1224–1226. 1233–1235. 1268–1279.

Witness acted as chairman of what was called the committee at the Duke of Suffolk, in Randolf-street, Walworth, *Buckland* 1334——Witness agreed to act as chairman there at the preliminary meeting at the Horns before Mr. Roupell put up, *ib.* 1335——Witness formed the committee; there were fourteen members, of it, and paid canvassers besides, *ib.* 1336–1340—— When witness undertook the district, he stipulated that he was not to be interfered with, and he was to employ whom he liked, *ib.* 1340——Witness charged a guinea a day for himself, which has been disallowed; there was no understanding that he was to be paid for his services, but witness considers he is entitled to something, *ib.* 1431–1458——Never told Mr. Howell that he was to have 40 *l.* a week, *ib.* 1449–1451——Witness was present one evening at the Lorimer Arms when Mr. Buckland was there, and Mr. Howell came in, *Peate* 1516–1523——Did not hear Mr. Buckland tell Mr. Howell that he was to have 40 *l.* a week for the conduct of the committee at the Bee Hive Tavern, *ib.* 1520–1524.

Witness went to Proom's committee and also to Morris's, but did not find any chairman at either, *Truman* 1739–1744——Generally speaking the persons who acted as chairmen of the different committees were men of position in the borough, who gave their services gratuitously, *Barton* 2111–2119.

Witness was chairman of a committee held at the Pilgrim Tavern, Walworth; went out canvassing, and was paid 10 *s.* a day; can only recollect the name of one person he canvassed out of the committee-room, *Bailey* 2191–2210. 2242–2245——Witness described himself in his pay-sheet as Mr. John Bailey, "chairman," and signed it John Bailey, "chairman;" knows nothing about the erasure in the pay-sheet; was never told that he was not to call himself chairman, *ib.* 2211–2218.

See also *Buckland, Mr. Morris, Mr. Paid Chairmen. Pay Sheets. Proom, Mr.*

Circulars. Estimated expense of sending out the first circulars and cards; 22,000 were sent by post, *Truman* 1799–1807. 1810–1812——Evidence as to the cost of sending out each issue of circulars and cards, *Barton* 2051–2055.

Clerks to Committees. Witness acted as clerk, and was paid 15 *s.* a day, *Burgess* 866, 867——Duties on which witness was employed; worked 10 hours a day, and does not consider that he was overpaid, *Dickie* 1081–1095. 1102, 1103.

See also *Canvassers.*

Committee Rooms. Witness is not aware what arrangement took place between Mr. Seaman and the central committee with respect to the hire of the committee-room at the Kentish Drovers, or the payment of the canvassers, *Tanswell* 733–735——Witness does not consider that three guineas was an over-payment for the use of the committee-room at the Kentish Drovers, *ib.* 769–772——Witness charged 3 *l.* for his committee-room, *Mars* 848. 857——Mr. Wilkinson's party offered him 5 *l.* to placard the house with bills, but witness could not have them at any price, *ib.* 849. 854–856.

The number of the committee-rooms actually used was forty-two, *Major* 906–907. 917——Mr. Roupell had several other committee-rooms in close proximity to the Horns, *Dickie* 1096–1098——There were also two other committee-rooms very near the Surrey Canal Tavern, *ib.* 1099–1101. 1105–1108——Other committee-rooms in the immediate proximity of that at the Bee Hive Tavern; it was one of the most populous districts of the

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Committee Rooms—continued.

the borough, *Morris* 1222–1223——There were no other committee-rooms in the third district, except that at the Duke of Suffolk, and only two posting houses, *Buckland* 1341–1344.

Forty-two or forty-four houses were taken as committee-houses, but at some of them there were not committees, *Truman* 1724–1732——There were only clerks there to make out the pay-sheets and pay the money, *ib.* 1733–1738——Witness does not consider that the charges for any of the committee-rooms or posting-houses was high, with the exception of the Horns; but although heavy, it was the regular charge, *Barton* 2042–2049.

See also *Expenses of the Election.*

Committees. Witness had nothing to do with the formation of the committee of which he was chairman, *Proom* 524–542——Witness really thinks there was nobody that formed the committee at the St. Paul's Tavern, Walworth, except himself; he was the committee, *ib.* 672–675——Names and descriptions of the members of the committee at the Kentish Drovers, *Tanswell* 714–729——There was a committee at witness's house; was one of the committee and a canvasser; Mr. Phillips was the chairman, *Mars* 798–805——Witness received the money, as landlord of the house, to pay the canvassers, messengers, &c., *ib.* 805–809——Evidence as to the appropriation of two sums of money which witness received from Mr. Truman for this purpose; witness's accounts were very much cut down, and he is out of pocket, *ib.* 815–819. 827–831.

The committee at witness's house consisted of seven, who met occasionally; they had no refreshment of any description, *Burgess* 887–889——Names of the parties who were on the committee at the Bee-hive Tavern; number of them who were voters, *Morris* 1138–1147——Evidence as to the organisation of the districts in the first instance, and the number of committees appointed, and the way in which appointed and chosen, *Truman* 1813–1849. 1878, 1879. 1888–1891——The number first appointed, say nineteen, was found insufficient, and others were added, *ib.* 1818–1826.

See also *Central Committee.* *Chairmen of Committees.* *Paid Committee Men.* *Pay Sheets.* *Public Houses.*

Coalition. Reference to an offer made to witness, through Mr. Howell and Mr. Fenton, of 60*l.* if he would get Roupell's voters in his district to split with Mr. Wilkinson, *Buckland* 1385–1408. 1459–1479.

Corrupt Practices. Witness's instructions, as chairman of a committee, were, to be careful in everything he did, *Proom* 604——Witness would not even give them a glass of ale, *ib.* 604—— Every one was cautioned every morning by witness against doing anything illegal, *ib.* 606——Witness received both written and printed instructions sent to him cautioning him against bribery, and he adhered fully to those instructions, *Marrs* 836–838.

Mr. Roupell gave witness express instructions with regard to the Corrupt Practices Act, and that he might be very guarded in what he did; copies of the Act were distributed to the various committees, *Barton* 2056–2065——A circular was also sent with these copies, calling the attention of the committees to the provisions of this Act, particularly as regarded treating and refreshment to voters, *ib.* 2066–2068——Witness never knew an election in which so much care was taken to act within the law; it was rather a dry election, *Bailey* 2246–2256——Witness and Mr. Barton made themselves perfectly acquainted with the law as it stood, with reference to the stringent provisions of the Corrupt Practices Act, *Roupell* 2288, 2289.

Cross, Samuel Massey. (Analysis of his Evidence.)—Has been employed within the last three days by Messrs. Harrison, of Walbrook, to assist them in preparing this petition; had previously taken out some six or seven Speaker's warrants, 2539–2543——Evidence as to witness's meeting with Mr. Roupell at the house being accidental, 2544–2552. 2561. 2592–2624——Witness had heard of the rumours connected with the South London Railway, and was curious to learn what connexion the railway had with this petition, 2553–2555. 2625 *et seq.*——Grounds on which Mr. Roupell stated to witness he formed the opinion that the South London Railway Company was at the bottom of this petition, 2556–2558.

Witness never entered into any negotiation with Mr. Roupell as to the withdrawal of the petition, nor had he any authority from the petitioners, or from Messrs. Harrison, to do so, 2559, 2560. 2562–2571——Evidence relative to the nature of witness's first employment by Messrs. Harrison on the subject of this petition, 2572–2591——Further evidence showing how far witness's meeting with Mr. Roupell at the House of Commons was accidental, 2592–2624——Witness did not go to the House with the intention of seeing Mr. Roupell, 2636–2638.

Mr. Roupell told witness that the South London Railway people were at the bottom of the petition, and that a Mr. Rhodes had been to him about it, and he would not entertain the proposition, 2639–2641. 2647–2652——Witness never made any allusion as to

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Cross, Samuel Massey. (Analysis of his Evidence.)—*continued.*

the affair having been badly managed, 2642-2646——Witness may have thought that Mr. Roupell was unwise in not accepting the offer of withdrawing the petition, and might have said, "Members generally like to get rid of these things," 2646-2652.

Evidence in detail as to the way in which witness was first introduced to Mr. Roupell, and the subject of the petition broached, 2653-2681——Witness did not tell Mr. Roupell who he was, nor that he was connected with Messrs. Harrison, 2653-2667. 2682-2684——Mr. Roupell might draw his own conclusion as to who witness was from the conversation he had with him relative to the South London Railway, 2685-2688. 2742——Witness might have led Mr. Roupell to believe that he could obtain a withdrawal of the petition, and that one of the Messrs. Harrison was anxious for its withdrawal, 2688-2698. 2701-2707——Mr. Roupell expressed a firm determination not to listen to any terms for withdrawing the petition, but did not say he would see them d—d first, 2700. 2707-2716.

Witness has had nothing to do with the getting up of subscriptions for this petition; knows nothing of its origin; has only been called in to assist, 2723-2741. 2758-2762——Witness had no communication with Messrs. Harrison as to any treaty or negotiation before he went to the House, 2743, 2744——Further evidence showing how far witness's meeting Mr. Roupell in the lobby of the House of Commons was accidental, 2745-2757.

Cross, Mr. See *Petition.*

D.

Deputy Returning Officer. Witness did not know that Mr. W. H. Anderson, the deputy returning officer at the Church-row polling-booth, was one of the most active agents of Mr. Roupell, *Onslow* 25, 26.

Dickie, Frederick Randall. (Analysis of his Evidence.)—Resides at Burdett-street, Walworth; is manager of the Manor House Tavern, 951, 952——On witness's hearing that Mr. Roupell was coming forward, he applied to a Mr. Barker for a situation; he referred him to Mr. Truman, who sent him over to Smith's, the Park House Tavern, opposite the Horns, 956-978——Witness was employed from about the 14th of March till the election was over, and two days afterwards, but was never paid for it, 958. 979.

Witness was employed first of all at Smith's, then at the Horns, and afterwards went to the Surrey Canal Tavern, 980-985——Mr. Gilham, sen., was chairman of the committee at the Surrey Canal Tavern; his son keeps the house; they are both voters, 986-992——Number of members on this committee; some of them were canvassers; the chairman acted as a canvasser, and paid himself as such, 993-1010.

Witness remembers Mr. Roupell coming to the Surrey Canal Tavern one evening, accompanied by a Mr. Doulton and Mr. Murphy, 1011, 1012——Inquiry made by Mr. Roupell on his arriving, "Well, gentlemen, how are you getting on here?" 1013, 1014——Reply of Mr. Gilham, the chairman, "We are doing our best; but this seems to be one of Wilkinson's strongholds, and we have got very few houses open," 1015, 1016——Some one made the observation that they had better have some more houses opened, 1017-1019. 1064-1068——And Mr. Roupell told Murphy he had better come down next day and open all he could, 1020——Evidence as to a large number of beer-houses and public-houses having been after this placarded in this district with Roupell's bills, 1021-1038. 1064.

Observation made by Mr. Doulton that they must bring all they could to the poll in the first two hours; an election generally depended on the first two hours, 1030. 1047——Witness did not sign any of the pay-sheets, 1039-1045——Witness is not a voter, 1046. 1069——Witness expected he was to have been paid 15 *s.* a week, but only got 10 *s.* one week and 12 *s.* 6 *d.* another, 1048-1058——Witness does not know that any more committee-rooms were opened after Mr. Roupell's visit to the Surrey Canal Tavern, only posting-houses, 1064-1068.

Witness believes that the reason he was sent over in the first instance to Smith's, opposite the Horns, was that the Horns was always too crowded to properly transact business there, 1070-1080——Duties on which witness was employed there; worked ten hours a day, and does not consider he was overpaid, 1081-1095. 1102, 1103——Mr. Roupell had several other committee-rooms in close proximity to the Horns, 1096-1098——There were also two or three committee-rooms very near the Surrey Canal Tavern, 1099-1101. 1105-1108——There was a private committee-room at the Surrey Canal Tavern; witness has seen Mr. Truman, Mr. Grove, Mr. Doulton, Mr. Barton, Mr. Murphy, and Mr. Hogan there, 1109, 1110——Has seen them pay money there, 1111-1114——When Mr. Roupell spoke about opening more houses, witness does not know whether he said they were to be the houses of voters or not, 1115-1120.

District Committees. See *Central Committee.* *Committees.*

Doulton, Mr. See *Bringing up Voters.* *Central Committee.* *Pay Sheets.*

E.

Election Auditor. Witness produces the appointment of Frederick Jenkins Abbott as election auditor for the borough, and also a list of the deputy returning officers and a list of the poll clerks, *Onslow* 5-7——Witness is election auditor for the borough of Lambeth, *Abbott* 54-56——Amounts witness paid the election auditor, *Roupell* 2305.

See also *Accounts.* *Expenses of the Election.*

Electors. See *Canvassers.* *Chairmen of Committees.* *Committees.* *Public Houses.* *Register of Voters.*

Ellis, James. (Analysis of his Evidence.)—Clerk in the office of Messrs. Harrison, the solicitors, 324——Served the witness, Joseph Tredre, with a Speaker's warrant; he said he would attend, 325-329——Served him at the King William the Fourth public-house, in the Albany-road, Camberwell; has been to look for him several times since, and cannot find him; believes he has no home, 330-338.

[Second Examination.]—Witness has looked after Tredre for the purpose of serving him with a summons, but has not been able to find him, 399-404.

Evidence. Witness has not been employed to get up evidence against Mr. Roupell, *Tredre* 2429-2437.

Expenses of the Election. Witness produces the accounts of the election expenses of the three candidates down to the day of nomination, *Abbott* 60——The amount returned by Mr. Wilkinson was 532 *l.* 16 *s.* 10 *d.*, *ib.* 61——The amount returned by Mr. Williams was 731 *l.* 18 *s.* 5 *d.* *ib.* 62——The amount returned by Mr. Roupell was 2,610 *l.* 17 *s.*, *ib.* 63——Examination upon and explanation of various items in this account for canvassers, clerks, messengers, hire of committee-rooms, stationery, and cab-hire, *ib.* 64-162.

Witness had no particulars of the various accounts, although he ought to be furnished with the complete accounts within three months, *Abbott* 68. 74. 118. 163——Witness, although he has no summary of the whole expenses, believes that the amount of which he authorised the expenditure would amount to about 1,900 *l.*; this was before the nomination, *ib.* 198-215——Witness has all the books showing the expenses of the election, *Barton* 224, 225——The account up to the day of nomination returned by witness is 2,610 *l.*, *ib.* 226——The total amount of the expenses of the election of Mr. Roupell would be 5,339 *l.*, with the exception of 200 *l.* or 300 *l.* disputed accounts, *ib.* 1976-1981. 2000, 2001——Amount witness furnished to the auditor as expenses before the nomination; amount since paid by the express authority of the auditor; total amount paid by Mr. Roupell, *ib.* 2147-2162.

See also *Accounts.* *Cashier.* *Circulars.* *Election Auditor.* *Pay Sheets.*

G.

Grove, Mr. See *Central Committee.*

H.

Harrison, Messrs. See *Petition.*

Hart, Thomas. (Analysis of his Evidence.)—Is assisting his father, an artist, 339——Has known the witness Joseph Tredre five or six years, 340, 341——Saw him a night or two ago, and learned from him that he had been served with a Speaker's warrant, 342, 343——Witness met him, and they afterwards met young Gilham, who keeps the Surrey Canal Bridge Tavern, in the Old Kent-road, and went there together, 344-358——Witness left them, and Tredre promised to meet witness in an hour's time, but did not do so, 345, 346.

Hughes, Mr. Witness always looked upon Joseph Hughes as a canvasser; he was not chairman of the committee at the Swan, *Truman* 1682-1685.

I.

Illegal Practices. Mr. Roupell was frequently present at the central committee, and on all occasions impressed on witness the necessity of not spending money illegally, *Truman* 1852-1856——Witness gave express instructions to his committee and his agents to keep strictly within the law, *Roupell* 2312.

See also *Bribery.* *Corrupt Practices.*

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M.

Major, John Richard. (Analysis of his Evidence.)—Clerk in the office of Mr. Harrison; went to the office of Mr. Barton to go through certain papers, 902, 903——As a result of witness's examination of these papers, witness finds that a sum amounting altogether to 105*l.* 7*s.* 7*d.* was paid for posting-houses, 904, 905. 913–916——He finds the number of committee-rooms actually used was forty-two, 906, 907. 917——And the number of persons described and paid as canvassers was 351; 908–912. 918–925——Some few clerks and messengers are included in this 351; 926–948——Witness does not know how many of these were voters, nor how many voted, 949–950.

Manning, Joseph. (Analysis of his Evidence.)—Surveyor; has been directed to ascertain the situation and distance of certain public-houses from each other with respect to this election, 1525, 1526——Examination upon this survey, taking the Victoria Theatre as a centre, and taking an area of 333 yards, 1527–1537——Further examination upon this survey, taking the immediate district of Vauxhall Bridge, 1539–1541——Also from the end of High-street and Broad-street, 1542——Evidence relative to the number in the Walworth district, 1543–1551——Number in the Kent-road, 1552–1556——Also in the Brixton-road, 1557–1560——Instructions which were given to witness for carrying out this survey, and way in which he carried it out, 1570*–1588.

Mars, William. (Analysis of his Evidence.)—Kept the public-house called the White Bear at the time of the late election for the borough of Lambeth; has no vote, 795–797——There was a committee at witness's house; was one of the committee, and a canvasser; Mr. Phillips was the chairman, 798–805——Witness received the money, as landlord of the house, to pay the canvassers, messengers, &c., 805–809——Evidence as to the appropriation of two sums of money witness received from Mr. Truman for this purpose; witness's accounts were very much cut down, and he is out of pocket, 815–819. 827–831——The committee at witness's house received no pay whatever, 820–824.

There are not the slightest grounds for saying that witness was bribed, 825, 826——Witness received both written and printed instructions sent to him cautioning him against bribery, and he adhered fully to these instructions, 836–838——All witness's customers seemed in conversation to be in favour of Mr. Roupell, and this induced witness to go to Mr. Truman, and ask if he might form a committee at his house, 839–843——In witness's opinion all those persons who were paid did good service for the money, 844–847——Witness charged 3*l.* for his committee-room, 848. 857——Mr. Wilkinson's party offered him 5*l.* to placard the house with bills, but witness could not have them at any price, 849. 854–856——Evidence as to various items in witness's pay-sheet which were cut down on examination by the central committee, 850–853. 857–859.

Messengers. Charles Gillham was employed as a messenger at 5*s.* a day; witness does not know that he is a voter, *Barton* 235–239.

See also *Canvassers.* *Expenses of the Election.*

Morris, Thomas. (Analysis of his Evidence.)—Mathematical instrument maker, living at West-street, Walworth, and an elector for the borough of Lambeth; plumped for Roupell, 1121–1125. 1227–1232——Was acting chairman of Mr. Roupell's committee at the Bee-hive Tavern, 1126–1130. 1133–1135——Mr. Whitty called himself deputy chairman, 1131, 1132——As chairman, witness sometimes sat and sometimes stood, 1136——Was at the committee-room all day, 1137. 1280, 1281——Names of some of the parties who were on the committee; number of them who were voters, 1138–1147——Was paid 15*s.* a day for eleven days; the committee-men were all paid, but they were paid as canvassers, 1148–1157. 1258–1267——In addition to these there was a body of men paid as canvassers, and there was a clerk and messenger as well; some of the canvassers were paid 10*s.* and some 7*s.* 6*d.* per day, 1158–1164.

Witness does not know when the erasure of the words "chairman" and "deputy-chairman," and the substitution of the word "canvassers," took place in the pay-sheets, whether it was before they left the committee room or afterwards, 1164–1206——Other committee-rooms in the immediate proximity of that at the Bee-hive Tavern; it was one of the most populous districts of the borough, 1222, 1223——Witness only canvassed two days, but the other days was employed looking after the other canvassers, and receiving their reports, 1224–1226. 1233–1235. 1268–1279.

Witness sent in the pay-sheets to the central committee on the Thursday, and received the money on the Saturday; he then saw that the money was paid to those persons whose names were on the pay-sheets, 1236–1248——Does not consider that any of the parties were overpaid, 1249–1253. 1258–1267——Witness does not know how many paid committee-men there were at the other committee-rooms in his district, as he did not interfere with them; they were not subordinate committees to the committee at the Bee-hive, 1283–1317——Witness considers that all the committee-men were paid as canvassers, and they all acted in turn as canvassers, 1318–1327.

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Morris, Mr. Morris was a canvasser, and not to witness's knowledge a chairman of a committee, *Truman* 1663-1666. 1669——Witness cannot explain how it was that Morris received 15 *s.* a day for eleven days for canvassing, when, according to his own statement, he was canvassing only two days; that he was chairman of the committee at the Bee-hive, *ib.* 1898-1901.

N.

Naylor, James Richard. (Analysis of his Evidence.)—Produces the writ for Lambeth, together with the poll-books and the return; they have been obtained from the Crown Office, but witness cannot speak as to their accuracy, 1, 2.

Nickalls, Mr. Patteson. See *Petitioners.*

O.

Onslow, Henry. (Analysis of his Evidence.)—Returning officer for the borough of Lambeth, 3——Produces the register of voters for Lambeth, 4——Produces the appointment of Frederick Jenkins Abbott as election auditor for the borough, and also a list of the deputy returning officers, and a list of the poll-clerks, 5-7——Number of district polling-booths, and number of compartments in each; list of them delivered in, 8-11——Witness finds the petitioners Patteson Nickalls and Robert Henry Bristowe on the register; the latter name stands Robert Bristowe, 12-15.

Description of the localities of the different district polling-booths; the number of compartments in each; the names of the poll-clerks, and the name of the deputy returning officer at each, 16-21——Witness would not knowingly employ a poll-clerk or deputy returning officer who was a committee-man, canvasser, or partisan of either side, 22, 23. 27-31——The persons witness employed were generally known to him as not being so, 24. 27-31.

Witness did not know that Mr. W. H. Anderson, the deputy returning officer at the Church Row polling-booth, was one of the most active agents of Mr. Roupell, 25, 26——Number of registered electors; area of the borough, 32-37——The whole election, so far as witness was a party to it, was conducted with the most perfect propriety; witness would not say that there was any thing like a disturbance at the Church Row polling-booth, 38-40. 44-53.

Organisation. Witness suggested the organisation and system of canvassing the voters that was introduced, *Truman* 1796——Evidence in detail relative to the organisation of witness's plan for carrying out the election, *Barton* 2081 *et seq.*

Overcharges. When any overcharge was made, it was disallowed, *Barton* 2050.

P.

Paid Chairmen. Witness does not consider that the payment of 1 *l.* 1 *s.* a day to Mr. Seaman was too much for his services, *Tanswell* 761-768——Witness would say that Mr. Seaman was not influenced in his vote by the guinea a day he received for being chairman of one of Mr. Roupell's committees, *ib.* 786-794——Statement that although several persons who were chairmen of committees were paid 15 *s.* a day, they were paid as canvassers, and not as chairmen, *Truman* 1763-1775. 1840-1847——*See* also *Chairmen of Committees.*

Paid Committee Men. Witness believes that none of the committee at the Swan Tavern were paid as committee-men; some of them were also canvassers, and were paid as such, *Barton* 248-259——The committee at witness's house received no pay whatever, *Marrs* 820-824——The committee-men at witness's house were not paid anything, *Burgess* 865——Witness was paid 15 *s.* a day for 11 days; the committee at the Bee-hive were all paid, but they were paid as canvassers, *Morris* 1148-1157. 1258-1267——In addition to these there was a body of men paid as canvassers, and there was a clerk and a messenger as well; some of the canvassers were paid 10 *s.*, and some 7 *s.* 6 *d.* per day, *ib.* 1158-1164.

Witness does not know how many paid committee-men there were at the other committee-rooms in his district, as he did not interfere with them, *Morris* 1283-1317——Witness considers that all the committee-men were paid as canvassers; and they all in turn acted as canvassers, *ib.* 1318-1327——The committee-men at the Duke of Suffolk were not paid, as it is not usual to pay committees; the canvassers were paid from 7 *s.* 6 *d.* to 10 *s.* per day; number of them who were voters, *Buckland* 1352-1356. 1411-1416.

No one was paid as committee-man or chairman; witness knew it was illegal; they were paid as canvassers, and not acknowledged by the central committee as committee-men, *Truman* 1653-1685. 1709-1718——Whether the parties were committee-men or not, they were always paid as canvassers, messengers, or clerks, *ib.* 1709-1718.

See also *Canvassers. Committee Men. Pay Sheets.*

Report, 1857—*continued.*

Paul's, St., Tavern (*Walworth*). The charge of 2*l.* 2*s.* for the use of the committee-room included the keeping it clean, and matters of that kind, *Proom* 677.

PAY SHEETS:

1. *Generally.*
2. *Evidence relative to certain Erasures and Alterations made in some of the Pay-sheets.*

1. *Generally:*

Reference to the suggestion that was made at the outset of the election that there should be a tabular sheet for every public-house, *Barton* 227——Witness produces the tabular sheet of the Swan Tavern, showing that John Anderson was, on the 18th March, appointed clerk of this district committee-room; his pay was 10*s.* a day; witness does not know whether he is a voter, *ib.* 228–234——Evidence in explanation of the items in the pay-sheet of the Queen's Arms amounting to 18*l.* 10*s.*, *ib.* 289, 290. 292–323——All that Tanaway, the landlord of the house, appears to have received was 2*l.* 2*s.* for the week's use of the room; witness does not know whether Tanaway is a voter, *ib.* 290. 300, 301. 303–323.

Examination upon the pay-sheets of St. Paul's Tavern, three in number; one, marked "A," dated 20 March, for 15*l.* 2*s.*; the second, marked "B," dated 27 March, for 32*l.* 16*s.*; and the third, marked "C," dated 31 March, for 20*l.* 13*s.* 6*d.*, *Proom* 432, *et seq.*——Examination upon the pay-sheet marked "A," amounting to 15*l.* 2*s.*; witness received the cash from Mr. Truman, *ib.* 458 *et seq.*——Truman also gave witness cash for the amount of the other pay-sheets at the Horns Tavern, *ib.* 467–472——Evidence relative to the parties to whom the amount of 15*l.* 2*s.*, included in the first pay-sheet was paid; amount paid to each; most of them were voters; and most of them on the committee, *ib.* 473–492.

Evidence relative to the disposition or disbursements of the amount included in the second pay-sheet; the money was paid to the same parties as those included in the first list, *Proom* 493–511——Examination upon pay-list "C"; the names contained therein are precisely the names of the committee-men, *ib.* 511–515——Witness's instructions to send in his pay-sheets to the central committee were given by Mr. Truman and Mr. Doulton at the central committee-room, *ib.* 543–545——The charges in the pay-sheets were carefully checked by Mr. Truman for the purpose of seeing that no imposition was practised on the general committee, *ib.* 578, 579——Evidence showing that several deductions were made from the pay-sheets sent in, *ib.* 580–595——In the last bill witness sent in he charged for the canvassers for the day after the polling; this charge was struck off by the central committee, *ib.* 662–667.

Pay-sheet of the Kentish Drovers produced, in which the name of George Seaman appears seven days at 1*l.* 1*s.* per diem, 7*l.* 7*s.*, *Tanswell* 730——Evidence as to various items in witness's pay-sheet which were cut down on examination by the central committee, *Mars* 850–853. 857–859——Witness did not sign any of the pay-sheets, *Dickie* 1039–1045.

Total amounts which witness received towards the expenses of his committee; amounts witness states he is out of pocket by the election, but which he hopes to get, as he always treats these matters as matters of business, *Buckland* 1374–1384. 1409, 1410——Reference to the items in dispute in witness's account, *ib.* 1417–1430——Witness believes that pay-sheets were sent in from forty-two committee-rooms, or it might be forty-four, *Truman* 1624–1626——Witness did not pay away any more money than appears in the pay-sheet, *ib.* 1745–1748——Witness suggested the pay-sheets and the regularity of sending in the accounts with a view to check the expenditure, *ib.* 1797.

2. *Evidence relative to certain Erasures and Alterations made in some of the Pay-sheets:*

Witness does not know when the erasure of the words "chairman" and "deputy chairman," and the substitution of the word "canvasser," took place in the pay-sheets, whether it was before they left the committee-room or afterwards, *Morris* 1164–1206——Witness sent in the pay-sheets to the central committee on the Thursday, and received the money on the Saturday; he then saw that the money was paid to those persons whose names were on the pay-sheets, *ib.* 1236–1248——Witness thinks that the erasures made in some of the pay-sheets, by substituting the word "canvasser" for "chairman," were made at the central committee-room; in fact, in one or two instances he suggested the alteration, *Truman* 1652 *et seq.*——The word chairman was printed in the pay-bills at witness's suggestion, *ib.* 1685–1689.

The alteration from "chairman" to "canvasser," was made before the accounts were paid; the accounts were sent in on the Thursday, checked on the Friday, and paid on the Saturday in each week, *Truman* 1694–1698——Although witness cautioned most of the parties who sent in those accounts, against heading and signing them as chairman, they continued sending them in so after the first week, *ib.* 1699–1701. 1719–1721——

Witness

Report, 1857—*continued.*

PAY SHEETS—continued.

2. *Evidence relative to certain Erasures and Alterations, &c.*—continued.

Witness cannot recollect any one that he remonstrated with for having sent in pay-sheets headed and signed chairman, *Truman* 1776–1794——The pay-sheets were all printed in one form, with the word "chairman" at top and bottom, *ib.* 1848–1857. 1880–1887——Witness feels confident that the erasures and alteration in the pay-sheets took place before the day of nomination, *Barton* 1960–1975.

See also *Chairman of Committees.*

Pease, Charles. (Analysis of his Evidence.)—Hairdresser, living at No. 2, Westmoreland-road, 1513——Was present one evening at the Lorrimer Arms when Mr. Buckland was there, and Mr. Howell came in, 1516–1523——Did not hear Mr. Buckland tell Mr. Howell that he was to have 40 *l.* a week for the conduct of the committee at the Bee-hive Tavern, 1520–1524.

Petition. Evidence relative to the endeavours which have been made to induce witness to compromise the petition, *Roupell* 2313 *et seq.*——Evidence as to that very active person, Mr. Cross, the leader of the opposition, having on the evening this Committee was struck sent for witness in his place in the House, *ib.* 2317. 2340–2342——Statement made by Mr. Cross, that he had just left the Messrs. Harrison, and that they were desirous to withdraw the petition, provided witness would not proceed for costs, *ib.* 2317——Statement made by witness in answer to this, that improper overtures had already been made to him, and he had given a decided answer to such overtures, *ib.* 2317. 2343, 2344——Rejoinder of Mr. Cross that it had been badly arranged, *ib.* 2317.

Grounds on which witness told Mr. Cross that he believed the petition was lodged for no other purpose than to drive him to join the South London Railway, *Roupell* 2318–2323. 2328–2331——Evidence as to the chairman of this company, who was also the chairman at several of the public meetings of the defeated candidate, having waited upon witness in the lobby of the House, and offering to withdraw the petition if witness would become a director of the railway, and use his influence in the House to obtain the Act, *ib.* 2323–2327. 2346——Witness was advised not to bring this matter before the House as a breach of privilege, *ib.* 2327——Witness gave Mr. Cross to understand that no consideration should induce him to stifle this inquiry, *ib.* 2332–2336.

Witness has never had any direct communication with Messrs. Harrison, nor with either of the petitioners, *Roupell* 2336–2339——As to whether the proposal with regard to the South London Railway was confidential or not, witness can only say that he made no promise of secrecy; Mr. Rhodes was the party who made it; period at which he made this proposal, *ib.* 2343-2363——How far witness has had any communication with Mr. Rhodes since on the subject, *ib.* 2364–2370.

Witness has carried on the business of a hop-merchant in the Borough for thirty years, *Rhodes* 2479, 2480——Is an elector for the borough of Lambeth, *ib.* 2481——Witness has never been in negotiation at all with the parties to this petition, *ib.* 2482–2493. 2500–2502. 2526–2530——Witness has been chairman at some of Mr. Wilkinson's public meetings, and also chairman of one of his committees, but when he heard of this petition he withdrew, *ib.* 2494–2499. 2504–2524——Witness has not subscribed to the expenses of the petition, *ib.* 2503–2525——Witness can distinctly state that in any communication which he may have made to Mr. Roupell respecting the South London Railway he was in no way concerned with the petitioners, *ib.* 2531–2538.

Witness has been employed within the last three days by Messrs. Harrison, of Walbrook, to assist them in preparing this petition; had previously taken out some six or seven Speaker's warrants, *Cross* 2539-2943——Witness had heard of the rumours connected with the South London Railway, and was curious to learn what connexion the railway had with this petition, *ib.* 2556–2558——Evidence as to witness's meeting with Mr. Roupell at the House being accidental, *ib.* 2544–2552. 2561. 2592–2624. 2636–2638. 2745–2757——Evidence in detail as to the way in which witness was first introduced to Mr. Roupell, and the subject of the petition broached, *ib.* 2653–2681——Witness did not tell Mr. Roupell who he was, nor that he was connected with Messrs. Harrison, *ib.* 2653–2667. 2682–2684——Mr. Roupell might draw his own conclusions as to who witness was from the conversation he had with him relative to the South London Railway, *ib.* 2685–2688. 2742——Resolution of the Committee that the petition of Patteson Nickalls and Robert Henry Bristowe is frivolous and vexatious, *Rep. p.* iii.

See also *Subscriptions. Withdrawal of the Petition.*

Petitioners. Witness finds the petitioners Patteson Nickalls and Robert Henry Bristowe on the register; the latter name stands Robert Bristowe, *Onslow* 12–15.

Placards. see *Posting Houses.*

Poll Clerks. Witness would not knowingly employ a poll-clerk or deputy returning officer who was a committee-man, canvasser, or partisan of either side, *Onslow* 22, 23.

Report, 1857— *continued.*

Poll Clerks—continued.

27. 31——The persons witness employed were generally known to him as not being so, *Onslow* 24. 27-31.——*See* also *Election Auditor.*

Polling Booths. Number of district polling-booths, and number of compartments in each; list of them delivered in, *Onslow* 8-11——Description of the localities of the different district polling-booths; the number and compartments of each; the names of the poll-clerks, and the name of the deputy returning officer at each, *ib.* 16-21.

Popular Feeling. All witness's customers seemed, in conversation, to be in favour of Mr. Roupell, and this induced witness to go to Mr. Truman and ask if he might form a committee at his house, *Marrs* 1839-843——Throughout the borough there was an enthusiastic feeling in favour of Mr. Roupell; opinion that this is the reason his success has been attributed to money, *Barton* 2078, 2079——Opinion that the great majority of the people of position in Lambeth supported Mr. Roupell, *ib.* 2120, 2121——Witness found throughout the election that there was a strong feeling in favour of Mr. Roupell; he was decidedly the popular candidate, *Bailey* 2257-2264.

Posting Houses. Witness is a clerk in the office of Mr. Harrison; went to the office of Mr. Barton to go through certain papers, *Major* 902, 903——As a result of witness's examination of these papers, witness finds that a sum, amounting altogether to 105*l.* 7*s.* 7*d.*, was paid for posting houses, *ib.* 904, 905. 913-916——One of the houses that was paid for as a posting house belonged to a man of the name of Fairfax, who was a paid canvasser as well, and was a voter, *Buckland* 1357-1373——There were a number of beershops and public-houses paid for besides these forty-four committee-rooms as posting houses for placarding and posting bills, *Truman* 1627-1651.

It is a common practice at elections in Lambeth to take what are called posting houses; witness does not think that there were more than a dozen of these houses taken, *Truman* 1867-1877——It has also always been the custom to hire public-houses for this purpose, *ib.* 1892-1895——Explanation relative to an item of 105*l.* for bill-posting houses, *Barton* 2002-2006——Explanation of an item of 59*l.* 9*s.* for private houses for posting bills, *ib.* 2007-2017——These houses were not taken with a view of their being voters' houses, though some of them may have been so, *ib.* 2018-2021.

See also *Committee Rooms. Public Houses.*

Private Committee Rooms. There was a private committee-room at the Surrey Canal Tavern; witness has seen Messrs. Truman, Grove, Doulton, Barton, Murphy, and Hogan there, *Dickie* 1109, 1110——Has seen them pay money there, *ib.* 1111-1114.

Proom, Edward. (Analysis of his Evidence.)—A gentleman, having no occupation; was an omnibus proprietor, 405-407——Is an elector of the borough of Lambeth, 408, 409——Owns a considerable number of houses in the borough; has forty-five tenants, but only about ten are voters, 410-415——At the late election witness acted as chairman of Mr. Roupell's committee, which was held at St. Paul's Tavern, Walworth Common, 416——Witness received 15*s.* a day for his services, 417-431.

Examination upon the pay-sheets of "St. Paul's Tavern," three in number, one marked "A," dated 20th March, for 15*l.* 2*s.*; the second marked "B," dated 27th March, for 32*l.* 16*s.*, and the third marked "C," dated 31st March, for 20*l.* 13*s.* 6*d.*; 432 *et seq.*——There has been an alteration in the pay-sheet bearing date the 27th March, by the word "chairman" having been obliterated, and the word "canvasser" substituted; witness does not recollect whether this obliteration took place before it was sent in to the central committee or not, 432-457. 473-475——They have all been altered in the same way, but witness cannot say by whom; the pay-sheets were made out by Mr. Lloyd, the clerk to the committee, 448-458.

Examination upon the pay-sheet marked "A," amounting to 15*l.* 2*s.*; witness received the cash from Truman, foreman at Mr. Roupell's, 458 *et seq.*——Truman also gave witness cash for the amount of the other pay-sheets at the Horns Tavern, 467-472——Evidence relative to the parties to whom the amount of 15*l.* 2*s.*, included in the first pay-sheet, was paid; amount paid to each; most of them were voters, and most of them on the committee, 473-492——Evidence relative to the disposition or disbursement of the amount included in the second pay-sheet; the money was paid to the same parties as those included in the first list, 493-511.

Examination upon pay-sheet "C;" the names contained therein are precisely the names of the committee-men, 511-515——Duties witness performed as chairman of the committee; the whole of the money passed through witness's hands, and he paid it as detailed in the pay-sheets, 516-519——Witness did not canvass his own tenants, 520-523——Witness had nothing to do with the formation of the committee of which he was chairman, 524-542——Witness's instructions to send in his pay-sheets to the central committee were given him by Mr. Truman and Mr. Doulton at the central committee-room, 543-555.

Report, 1857—*continued.*

Proom, Edward (Analysis of his Evidence)—*continued.*

It was left to witness, as chairman, to employ and pay whom he liked, 556–577 ——The charges in the pay-sheets were carefully checked by Mr. Truman for the purpose of seeing that no imposition was practised on the general committee, 578, 579——Evidence showing that several deductions were made from the pay-sheets sent in, 580–595——After Mr. Truman confided to witness the employment and rate of payment of the canvassers messengers, &c., witness did not employ one single man more than the actual services required, 596–603.

Witness's instructions, as chairman of a committee, were to be careful in everything he did, 604——Witness would not even give them a glass of ale, 604——Copies of the Bribery Act and extracts from the clauses in the Corrupt Practices Act were laid on the table of the committee-room, 605–611——Every one was cautioned every morning by witness against doing anything illegal, 606——Witness would say that, considering the class of men generally that were engaged, and the service they had to perform, the canvassers were decidedly underpaid, 612–644. 652.

Witness cannot explain the change of the name of "chairman" to that of "canvasser," any more than that the central committee did not recognise a paid chairman of committees, but recognised a chairman of canvassers, 645–647——Although witness received 15 *s.* a day, he was out of pocket by the election, 647–651——Witness's vote was not influenced by the 15 *s.* a day he received, 653–658——In the last bill witness sent in he charged for the canvassers for the day after the polling; this charge was struck off by the central committee, 662–667.

Witness really thinks there was nobody that formed the committee except himself; he was the committee, 672–675——The charge of 2 *l.* 2 *s.* for the use of the committee-room included the keeping it clean, and matters of that kind, 677——After the first account went in Mr. Truman suggested that witness had better be called the superintendent of canvassers, 678–685——Witness thinks there were four committee-rooms in District No. 10; 690——Witness himself fixed the sums of 10 *s.* and 7 *s.* 6 *d.* to be paid to the canvassers, 692–695.

Proom, Mr. Mr. Proom was not a chairman, and not even a committee-man, *Truman* 1658–1662—— Proom would have been what would have been called a chairman if it had not been found that it was illegal to call him so, and if he would have acted without pay, *ib.* 1905–1914. 1924–1932——As he would not act without pay, he was called canvasser, *ib.* 1905–1909. 1924–1932.

Public Houses. Evidence as to Mr. Roupell coming to the Surrey Canal Tavern one evening, accompanied by Mr. Doulton and Mr. Murphy, *Dickie* 1011, 1012; *Tredre* 2397–2408——Inquiry made by Mr. Roupell on his arriving, "Well, gentlemen, how are you getting on here?" *Dickie* 1013, 1014; *Tredre* 2408, 2409——Reply of Mr. Gilham, the chairman, "We are doing our best, but this seems to be one of Wilkinson's strongholds, and we have got very few houses open," *Dickie* 1015, 1016; *Tredre* 2408, 2409——Some one made the observation that they had better have some more houses opened, *Dickie* 1017–1019. 1064–1068; *Tredre* 2410–2415——Mr. Roupell told Murphy he had better come down next day and open all he could, *Dickie* 1020; *Tredre* 2410–2415—— Evidence as to a large number of beershops and public-houses having been after this placarded in this district with Roupell's bills, *Dickie* 1021–1038. 1064; *Tredre* 2416–2418——Witness does not know that any more committee-rooms were opened after Mr. Roupell's visit, or whether they were only posting houses, *Dickie* 1064–1068—— When Mr. Roupell spoke about opening more houses, witness does not know whether he said they were to be the houses of voters or not, *ib.* 1115–1120.

Witness is a surveyor; has been directed to ascertain the situation and distance of certain public-houses from each other with respect to this election, *Manning* 1525, 1526 ——Examination upon this survey, taking the Victoria Theatre as a centre, and taking an area of 333 yards, *ib.* 1527–1537——Examination upon this survey, taking the immediate district of Vauxhall Bridge, *ib.* 1539–1541——Also from the end of High-street and Broad-street, *ib.* 1542——Evidence relative to the number in the Walworth district, *ib.* 1543–1551——Number in the Kent-road, *ib.* 1552–1556——Also in the Brixton-road, *ib.* 1557–1560——Instructions which were given to witness for carrying out this survey, and way in which he carried it out, *ib.* 1570*–1588.

Witness is not an elector for the borough; acted at the late election under Mr. Barton, the election agent; was elected one of the central committee-men, *Truman* 1594–1596 ——It was not settled at the public meeting that there should be committees and chairmen of committees at public-houses; it was privately arranged afterwards by the central committee, *ib.* 1597–1604——Witness went round with others to see what public-houses would be useful houses, and it was afterwards decided by the central committee whether they should be taken, *ib.* 1598. 1603–1612.

See also *Posting Houses.*

Report, 1857—*continued.*

Public Meetings. Reasons why the Victoria Theatre and the Surrey Gardens were taken for the purpose of holding public meetings, *Barton* 2069–2077.

R.

Register of Voters. Witness produces the register of voters for Lambeth, *Onslow* 4.

Registered Electors. Number of registered electors; area of the borough, *Onslow* 32–37.

Requisition to Mr. Roupell. There was a requisition, numerously signed, sent to Mr. Roupell, *Tanswell* 775–777.

Returning Officer. Witness is returning officer for the borough of Lambeth, *Onslow* 3.

Rhodes, John. (Analysis of his Evidence.)—Has carried on the business of a hop merchant in the Borough thirty years, 2479, 2480——Is an elector for the borough of Lambeth, 2481——Witness has never been in negotiation at all with the parties to this petition, 2482–2493. 2500–2502. 2526–2530——Witness has been chairman at some of Mr. Wilkinson's public meetings, and also chairman of one of his committees, but when he heard of this petition he withdrew, 2494–2499. 2504–2524——Witness has not subscribed to the expenses of the petition, 2503. 2525——Witness can distinctly state, that in any communication which he may have made to Mr. Roupell respecting the South London Railway, he was in no way concerned with the petitioners, 2531–2538.

Rhodes, Mr. See *Petition.*

Roupell, William, a Member of the House. (Analysis of his Evidence.)—Sitting Member for Lambeth; was born and reared in the borough, 2282–2285——On the occasion of the late dissolution witness heard that some dissatisfaction had been expressed against the Sitting Member, and witness was asked to stand, 2286, 2287——Witness employed Mr. Barton as his election agent for expenses under the Act of Parliament, 2288——Witness and Mr. Barton made themselves perfectly acquainted with the law as it stood with reference to the stringent provisions of the Corrupt Practices Act, 2288, 2289——Mr. Truman and Mr. Hogan were appointed a committee for conducting the finances, and an account was opened in their names at Barclay's, 2290–2293.

Amounts witness paid to these parties to be paid in to the bankers, and dates at which paid, 2290–2304. 2306——Amount witness paid the election auditor, 2305——Besides these parties, witness has neither paid nor held out any expectation of payment of any sum whatever with reference to the election, 2307–2311——Witness gave express instructions to his committee and his agents to keep strictly within the law, 2312.

Evidence relative to the endeavours which have been made to induce witness to compromise this petition, 2313 *et seq.*——Evidence as to that very active person, Mr. Cross, the leader of the opposition, having, on the evening this Committee was struck, sent for witness in his place in the House, 2317. 2340–2342——Statement made by Mr. Cross that he had just left the Messrs. Harrison, and that they were desirous to withdraw the petition provided witness would not proceed for costs, 2317——Statement made by witness in answer to this, that improper overtures had already been made to him, and he had given a decided answer to such overtures, 2317. 2343, 2344——Rejoinder of Mr. Cross that it had been badly arranged, 2317——Witness told Mr. Cross what these other improper overtures were, 2317.

Grounds on which witness told Mr. Cross that he believed the petition was lodged for no other purpose than to drive him to join the South London Railway, 2318–2323. 2328–2331——Evidence as to the chairman of this company, who was also the chairman at several of the public meetings of the defeated candidate, having waited upon witness in the lobby of the House, and offering to withdraw the petition if witness would become a director of the railway, and use his influence in the House to obtain the Act, 2323–2327. 2346——Witness was advised not to bring this matter before the House as a breach of privilege, 2327——Witness gave Mr. Cross to understand that no consideration should induce him to stifle this inquiry, 2332–2336.

Witness has never had any direct communication with Messrs. Harrison, nor with either of the petitioners, 2336–2339——As to whether the proposal with regard to the South London Railway was confidential or not, witness can only say that he made no promise of secrecy; Mr. Rhodes was the party who made it; period at which he made this proposal, 2343–2363——How far witness has had any communication with Mr. Rhodes since on the subject, 2364–2370——Mr. Rhodes voted for witness and Mr. Wilkinson; he was chairman of one of Mr. Wilkinson's committees, 2371–2373——All that witness has stated to this Committee he stated to Mr. Cross, 2375–2377.

Roupell, Mr., M.P. Resolution of the Committee that William Roupell, esq., is duly elected a burgess to serve in this present Parliament for the borough of Lambeth, *Rep. p.* iii.

Report, 1857—*continued.*

S.

Seaman, George. (Analysis of his Evidence.)—Was in the committee-room about ten minutes while Mr. Proom was being examined, 696–701.

[The counsel for the Sitting Member objected to this witness being examined, and the Committee decided that he could not be examined.]

See also *Canvassers. Chairmen of Committees. Committee Rooms. Paid Chairmen.*

South London Railway. See *Petition.*

Sub-Committees. Evidence relative to the sub-committee connected with the Elephant and Castle, in the Vauxhall-road, and included in the pay-sheet of that house, *Truman* 1749–1762.——*See* also *Central Committee.*

Subscriptions. Witness has had nothing to do with the getting up of subscriptions for this petition; knows nothing of its origin; has only been called in to assist, *Cross* 2723–2741. 2758–2762.

Superintendent Canvassers. After the first account went in, Mr. Truman suggested that witness had better be called the superintendant of canvassers, *Proom* 678–685—— George Seaman was originally described in the pay-sheet of the Kentish Drovers as chairman, and then superintendent canvasser is put underneath, and the other erased; payments to certain parties under the head of commissioner, *Tanswell* 730——A man of the name of John Bailey, who was chairman of a committee at a place called the Pilgrim Tavern, was paid as a superintendent canvasser, *Barton* 2180–2185.

Surrey Gardens. See *Public Meetings.*

Swan Tavern. Parties employed as canvassers, clerks, and messengers, and their rates of pay, *Barton* 240–245——Mr. David Sims, a stock-broker, was the chairman of the committee at the Swan, *ib.* 246, 247——Explanation relative to the disbursement of a sum of 20 *l.* which was handed to the chairman on account of the expenses of this committee-room, *ib.* 260–288——The total amount expended by Mr. Sims at this house was 49 *l.* 6 *s.* 6 *d.*, and the return made by witness is only 25 *l.* 15 *s.* 6 *d.*, but this is only up to the nomination; the balance has been subsequently paid, *ib.* 265–273——On Mr. Roupell's starting, witness went and hired the Swan Tavern, *ib.* 286–288. 291.

T.

Tanswell, John. (Analysis of his Evidence.)—Solicitor, having offices in the Temple; resides at Nunhead; is an elector of the borough of Lambeth; voted for Mr. Roupell, 702–705——Was on the committee which sat at the Kentish Drovers, of which Mr. Seaman was chairman, 706, 707——Does not know whether Mr. Seaman was paid; witness himself was not paid; only attended casually, 708–712——Does not know anything of the payments made at this committee-room, 713——Names and descriptions of the members of this committee, 714–729——Pay-sheet of the Kentish Drovers produced, in which the name of George Seaman appears, "seven days, at 1 *l.* 1 *s.* per day, 7 *l.* 7 *s.*;" 730.

George Seaman was originally described in this list as chairman, and then superintendent canvasser is put underneath, and the other erased; payments made to certain parties under the head of commissioner, 730——Witness believes that some of the canvassers were not voters, 730–732——Witness is not aware what arrangement took place between Mr. Seaman and the central committee with respect to the hire of the committee-room, or the payment of the canvassers, 733–735——Witness had previously offered his services, and those of Mr. Seaman, to Mr. Wilkinson, if he would pay an outstanding account of 10 *l.* due to witness, 736–742. 750–752——Witness plumped for Mr. Roupell, 742–745.

On one occasion witness saw Mr. Seaman pay the canvassers; they were paid 10 *s.* a day; some one delivered a packet of money to Mr. Seaman in the room, 746–749——Witness wrote to Mr. Wilkinson for the 10 *l.*, and was directed by him to wait on one of his committee, and they wanted him to wait for his money till after the election, 750–752—— On the following day witness placed himself in communication with Mr. Roupell's committee, 753–758——Witness was not bribed by any one, 760——Witness does not consider that the payment of 1 *l.* 1 *s.* a day to Mr. Seaman was too much for his services, 761–768——Witness does not consider that three guineas was an over-payment for the use of the committee-room at the Kentish Drovers, 769–772.

Witness thinks there was a good deal of dissatisfaction in Lambeth with Mr. Wilkinson's Parliamentary conduct, 773, 774——There was a large requisition sent to Mr. Roupell, 775–777——The 10 *l.* witness wrote to Mr. Wilkinson about was an old claim

Report, 1857—*continued.*

Tanswell, John (Analysis of his Evidence)—*continued.*

of witness's; he claimed it from Mr. Harvey for services rendered at the time he came forward, 778. 786, 787——Witness cannot remember the date at which he made this claim, 778-781——Witness has not received a sixpence for the services he has rendered to Mr. Roupell, 783——Witness would say that Mr. Seaman was not influenced in his vote by the guinea a day he received for being chairman of one of Roupell's committees, 786-794.

Treating. See *Bribery Act Corrupt Practices.*

Tredre, Joseph. (Analysis of his Evidence.)—Currier by trade; came up here in custody of some gentleman; does not know who he is; has been stopping lately at various places, 2378-2384——Was employed as a canvasser at the Surrey Canal Tavern, kept by a man of the name of Gilham, whose father was chairman of the committee there, 2385-2396——Recollects Mr. Roupell coming there about five or six days before the election, with Mr. Doulton and Mr. Murphy, 2397-2408——Observation made by the chairman, in reply to a question from Mr. Roupell as to how they were getting on, that "they were not getting on so well as they could wish, as Mr. Wilkinson was very strong in that part," 2408, 2409.

Suggestion of Mr. Gilham that more houses should be opened, and observation made by Mr. Roupell, "Open them all," 2410-2415——Witness noticed after this that other houses were opened in the neighbourhood, 2416-2418——Witness has been keeping himself out of the way to see which party would pay him best; at present nobody has paid him, 2419-2428——Witness has not been employed to get up evidence against Mr. Roupell, 2429-2437——Examination upon witness's former character and his present occupation, 2437-2468. 2472——Mr. Gilham employed witness as a canvasser for Mr. Roupell, 2469-2471——Witness has had no communication, either direct or indirect, with either party with respect to keeping out of the way; he merely did so to see which party would pay him best, 2473-2478.

Tredre, Mr. Application of Mr. James (counsel for the petitioners) for a summons to procure the attendance of a person of the name of Tredre, *Ev. p.* 12.

Witness is clerk in the office of Messrs. Harrison, the solicitors, *Ellis* 324——Served the witness Joseph Tredre with a Speaker's warrant; he said he would attend, *ib.* 325-329——Has been to look for him several times since, and cannot find him; believes he has no home, *ib.* 330-338. 399-404.

Witness is assisting his father, an artist, *Hart* 339——Has known the witness Joseph Tredre five or six years, *ib.* 340, 341——Saw him a night or two ago, and learnt from him that he had been served with a Speaker's warrant, *ib.* 342, 343——Witness met him, and they afterwards met young Gilham, who keeps the Surrey Canal Bridge Tavern in the Old Kent-road, and went there together, *ib.* 344-358——Witness left them, and Tredre promised to meet witness in an hour's time, but did not do so, *ib.* 345, 346.

Witness resides at No. 8, Surrey Grove Cottages, Peckham, *Cathie* 359——Knows Joseph Tredre; saw him on Thursday the 9th July, and learnt that he had been served with a notice to attend this Committee, *ib.* 360-365——Tredre told witness he should not attend unless he was forced, *ib.* 366-369——Statement made by him that he was the principal witness in the case, *ib.* 370——Witness does not know where to find him; has lately received a letter from him, and gave it to Mr. Hart a few hours ago in Palace-yard [Mr. Hart delivers in this letter]; no portion of it has any reference to his coming before the Committee, *ib.* 374-394——Resolution of the Committee to issue the warrant, *Ev. p.* 14——Witness is aware that a man of the name of Tredre, who is keeping out of the way, has written to Mr. Roupell complaining that he has not been paid, *Barton* 2168——Witness does not know where Tredre is to be found, *ib.* 2169, 2170.

Witness is a currier by trade; came up here in custody of some gentleman; does not know who he is; has been stopping lately at various places, *Tredre* 2378-2384——Witness has been keeping himself out of the way to see which party would pay him best; at present nobody has paid him, *ib.* 2419-2428——Examination upon witness's former character and his present occupation, *ib.* 2437-2468. 2472——Mr. Gilham employed witness as a canvasser for Mr. Roupell, *ib.* 2469-2471.

Truman, John. (Analysis of his Evidence.)—Builder and contractor; some time ago witness was manager of some brickfields at Norwood belonging to Mr. Roupell; witness now rents them, 1589-1593——Is not an elector for the borough; acted at the late election under Mr. Barton, the election agent; was elected one of the central committee-men, 1594-1596——It was not settled at the public meeting that there should be committees and chairmen of committees at public-houses; it was privately arranged afterwards by the central committee, 1597-1604——Witness went round with others to see what public-houses would be useful houses, and it was afterwards decided by the central committee whether they should be taken, 1598. 1603-1612.

Mr. Doulton was one of the chairmen of the central committee, and in his absence Mr. Grove officiated, 1600-1602——Witness was appointed to pay the bills; a banker's account

Report, 1857—*continued.*

Truman, John. (Analysis of his Evidence)—*continued.*

account was opened in his name and that of the secretary (Mr. Hogan) jointly; the total amount paid in to this account was 4,822 *l.*, and the balance struck on the 1st May showed a balance in favour of the depositors of 170 *l.* 18 *s.* 6 *d.*; 1613–1624——Witness believes that pay-sheets were sent in from forty-two committee-rooms, or it might be forty-four, 1624–1626.

There were a number of beershops and public-houses paid for besides these forty-four as posting houses, for placarding and posting bills, 1627–1651——Witness thinks that the erasures made in some of the pay-sheets, by substituting the word "canvasser" for "chairman," were made at the central committee-room; in fact, in one or two instances he suggested the alteration, 1652 *et seq.*——No one was paid as committee-man or chairman; witness knew it was illegal; they were paid as canvassers, and not acknowledged by the central committee as committee-men, 1653–1685. 1709–1718.

Proom was not a chairman, and not even a committee-man, 1658–1662——Morris was a canvasser, and not, to witness's knowledge, chairman of a committee, 1663–1666. 1669——Buckland was not acknowledged as a chairman or committee-man by the central committee, although all his bills are headed and signed chairman, 1674–1682——Witness always looked upon Joseph Hughes as a canvasser; he was not chairman of the committee at the Swan, 1682–1685——The word "chairman" was printed in the pay-sheets at witness's suggestion, 1685–1689.

The alteration from "chairman" to "canvasser" was made before the accounts were paid; the accounts were sent in on the Thursday, checked and altered on the Friday, and paid on the Saturday in each week, 1694–1698——Although witness cautioned most of the parties who sent in these accounts against heading them, and signing them as chairman, they continued sending them in so after the first week, 1699–1701. 1719–1721——Whether the parties were committee-men or not, they were always paid as canvassers, messengers, or clerks, 1709–1718——When persons were appointed canvassers it was not asked whether they were voters or not, 1723.

The forty-two or forty-four houses were taken as committee-houses, but at some of them there were no committees, 1724–1732——There were always clerks there to make out the pay-sheets and pay the money, 1733–1738——Witness went to Proom's committee-room and also to Morris's, but did not find any chairman at either of them, 1739–1744.

[Second Examination.]—Witness did not pay away any more money than appears by the pass-book, 1745–1748——Evidence relative to the sub-committees connected with the Elephant and Castle, in the Vauxhall-road, and included in the pay-sheet of that house, 1749–1762——Further statement, that although several persons who were chairmen of committees were paid 15 *s.* a day, they were paid as canvassers, and not as "chairmen," 1763–1775——Witness cannot recollect any one that he remonstrated with for having sent in their pay-sheets headed and signed "chairman," 1776–1794.

Witness was first employed in the matter of the election about the 12th of March, 1795——Witness suggested the organisation and system of canvassing the voters that was introduced, 1796——Also suggested the pay-sheets, and the regularity of sending in the accounts with a view to check the expenditure, 1797——Witness has never thought of paying anybody or promising any one anything for his vote, 1798——Estimated expense of sending out the first circular and cards; 22,000 were sent by post, 1799–1807. 1810–1812——The instructions to the canvassers were to ascertain in the district, and report exactly which way the voters intended to vote; for which of three candidates, 1808, 1809.

Evidence as to the organisation of the districts in the first instance, and the number of committees appointed, and way in which appointed and chosen, 1813–1849. 1878, 1879. 1888–1891——The number at first organised, viz., nineteen, was found insufficient, and others were added, 1818–1826——No man was paid as chairman of committees, but where they were recognised as canvassers, they were paid, 1840–1847——The pay-sheets were all printed in one form, with the word "chairman" at top and bottom, 1848–1851. 1880–1887——Mr. Roupell was frequently present at the central committee-room, and on all occasions impressed on witness the necessity of not expending money illegally, 1852–1856.

Impossibility in such a constituency as that of Lambeth of getting the voters up to the poll without a large staff of canvassers, 1859–1866——It is a common practice in elections in Lambeth to take what are called posting houses; witness does not think there were more than a dozen of these houses taken, 1867–1877——It has also always been the custom to hire public-houses for this purpose, 1892–1895.

Witness cannot explain how it was that Morris received 15 *s.* a day for eleven days for canvassing, when, according to his own statement, he was only canvassing two days, and that he was chairman of the committee at the Bee Hive, 1898–1901——Proom was what would have been called a chairman if it had not been found that it was illegal to call him so, and if he would have acted without pay, 1905–1914. 1924–1932——As he would not act

LAMBETH ELECTION.

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AND INDEX.

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